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ELECTION LAWS

OF THE

UNITED STATES, *Secs. 1-12*

TOGETHER WITH THE

REGISTRY AND ELECTION LA

OF THE

STATE OF NEW YORK,

RELATING TO ELECTIONS IN THE CITY AND
COUNTY OF NEW YORK.

NEW YORK:

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VISOR OF ELECTIONS, SOUTHERN DISTRICT OF NEW YORK

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Laws of Congress and the State of New York,

PASSED IN 1870,

Relating to Elections.

LAWS OF CONGRESS.

ACT OF MAY 31, 1870.

AN ACT to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all citizens of the United States who are or shall be otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial sub-division, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or territory, or by or under its authority, to the contrary notwithstanding.

No distinction by reason of color.

SEC. 2. *And be it further enacted,* That if by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to be done as a pre-requisite or qualification for voting, and by such constitution or laws persons or officers are or shall be charged with the performance of duties in furnishing to citizens an opportunity to perform such pre-requisite, or to become qualified to vote, it shall be the duty of every such person and officer to give to all citizens of the United States the same and equal opportunity to perform such pre-requisite, and to become qualified to vote without distinction of race, color, or previous condition of servitude; and if any such person or officer shall refuse or knowingly omit to give full effect to this section, he shall for every such offence, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs and such allowance for counsel fees as the court shall deem just, and shall also, for every such offence, be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

No distinction by reason of color.

SEC. 3. *And be it further enacted,* That whenever, by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to [be] done by any citizen as a prerequisite to qualify or entitle him to vote, the offer of any such citizen to perform the act required to be done as aforesaid shall, if it fail to be carried into execution by reason of the wrongful act or omission aforesaid of the person or officer charged with the duty of receiving or permitting

Penalties for not registering and receiving, and counting votes.



such performance or offer to perform or acting thereon, be deemed and held as a performance in law of such act; and the person so offering and failing as aforesaid, and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as if he had in fact performed such act; and any judge, inspector, or other officer of election whose duty it is or shall be to receive, count, certify, register, report, or give effect to the vote of any such citizen who shall wrongfully refuse or omit to receive, count, certify, register, report, or give effect to the vote of such citizen upon the presentation by him of his affidavit stating such offer and the time and place thereof, and the name of the officer or person whose duty it was to act thereon, and that he was wrongfully prevented by such person or officer from performing such act, shall for every such offence forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs and such allowance for counsel fees as the court shall deem just, and shall also for every such offence be guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Penalties for obstructing and hindering.

SEC. 4. *And be it further enacted*, That if any person, by force, bribery, threats, intimidation, or other unlawful means, shall hinder, delay, prevent, or obstruct, or shall combine and confederate with others to hinder, delay, prevent, or obstruct any citizen from doing any act required to be done to qualify him to vote or from voting at any election as aforesaid, such person shall for every such offence forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs and such allowance for counsel fees as the court shall deem just, and shall also for every such offence be guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court. [See Act of June 10, 1872.]

Penalties for obstructing and hindering.

SEC. 5. *And be it further enacted*, That if any person shall prevent, hinder, control, or intimidate, or shall attempt to prevent, hinder, control, or intimidate any person from exercising or in exercising the right of suffrage, to whom the right of suffrage is secured or guaranteed by the Fifteenth Amendment of the Constitution of the United States, by means of bribery, threats, or threats of depriving such person of employment or occupation, or of ejecting such person from rented house, lands, or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family, such person so offending shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Penalties for obstructing and hindering.

SEC. 6. *And be it further enacted*, That if two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to violate any provision of this act, or to injure, oppress, threaten, or intimidate any citizen with intent to prevent or hinder his free exercise and enjoyment of any right or privilege granted or secured to him by the Constitution or laws of the United States, or because of his having exercised the same, such persons shall be held guilty of felony, and, on conviction thereof, shall be fined or imprisoned, or both, at the discretion of the court—the fine not to exceed five thousand dollars, and the imprisonment not to exceed ten years—and shall, more

over, be thereafter ineligible to, and disabled from holding any office or place of honor, profit, or trust created by the Constitution or laws of the United States.

SEC. 7. *And be it further enacted*, That if in the act of violating any provision in either of the two preceding sections, any other felony, crime, or misdemeanor shall be committed, the offender, on conviction of such violation of said sections, shall be punished for the same with such punishments as are attached to the said felonies, crimes, and misdemeanors by the laws of the State in which the offence may be committed.

Penalties for obstructing and hindering.

SEC. 8. *And be it further enacted*, That the district courts of the United States, within their respective districts, shall have, exclusively of the courts of the several States, cognizance of all crimes and offences committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, arising under this act, except as herein otherwise provided, and the jurisdiction hereby conferred shall be exercised in conformity with the laws and practice governing United States courts; and all crimes and offences committed against the provisions of this act may be prosecuted by the indictment of a grand jury, or, in cases of crimes and offences not infamous, the prosecution may be either by indictment or information filed by the district attorney in a court having jurisdiction.

Jurisdiction conferred upon Courts of United States.

SEC. 9. *And be it further enacted*, That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States, and every other officer who may be specially empowered by the President of the United States, shall be, and they are hereby, specially authorized and required, at the expense of the United States, to institute proceedings against all and every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States or territorial court as has cognizance of the offence. And with a view to afford reasonable protection to all persons in their constitutional right to vote, without distinction of race, color, or previous condition of servitude, and to the prompt discharge of the duties of this act, it shall be the duty of the circuit courts of the United States, and the superior courts of the Territories of the United States, from time to time, to increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with a violation of this act, and such commissioners are hereby authorized and required to exercise and discharge all the powers and duties conferred on them by this act, and the same duties with regard to offences created by this act as they are

Duties of District Attorneys, Marshals, Commissioners, and officers.

authorized by law to exercise with regard to other offences against the laws of the United States.

Duties of Marshals.

SEC. 10. *And be it further enacted*, That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of the person deprived of the rights conferred by this act. And the better to enable the said commissioners to execute their duties faithfully and efficiently, in conformity with the Constitution of the United States, and the requirements of this act, they are hereby authorized and empowered, within their districts respectively, to appoint, in writing, under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties, and the persons so appointed to execute any warrant or process as aforesaid shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land or naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged, and to insure a faithful observance of the fifteenth amendment to the Constitution of the United States; and such warrants shall run and be executed by said officers anywhere in the State or Territory within which they are issued.

Power of Commissioners.

Hindering execution of process or arrest.

SEC. 11. *And be it further enacted*, That any person who shall knowingly and wilfully obstruct, hinder, or prevent any officer or other person charged with the execution of any warrant or process issued under the provisions of this act, or any person or persons lawfully assisting him or them, from arresting any person for whose apprehension such warrant or process may have been issued, or shall rescue or attempt to rescue such person from the custody of the officer or other person or persons, or those lawfully assisting as aforesaid, when so arrested pursuant to the authority herein given and declared, or shall aid, abet, or assist any person so arrested as aforesaid, directly or indirectly, to escape from the custody of the officer or other person legally authorized as aforesaid, or shall harbor or conceal any person for whose arrest a warrant or process shall have been issued as aforesaid, so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, or imprisonment not exceeding six months, or both, at the discretion of the court, on conviction before the district or circuit court of the United States for the district or circuit in which said offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States.

Aiding rescue or escape.

Fees.

SEC. 12. *And be it further enacted*, That the commissioners, district at

torneys, the marshals, their deputies, and the clerks of the said district, circuit and territorial courts shall be paid for their services the like fees as may be allowed to them for similar services in other cases. The person or persons authorized to execute the process to be issued by such commissioners for the arrest of offenders against the provisions of this act shall be entitled to the usual fees allowed to the marshal for an arrest for each person he or they may arrest and take before any such commissioner as aforesaid, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them, such as attending at the examination, keeping the prisoner in custody, and providing him with food and lodging during his detention and until the final determination of such commissioner, and in general for performing such other duties as may be required in the premises; such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county as near as may be practicable, and paid out of the treasury of the United States on the certificate of the judge of the district within which the arrest is made, and to be recoverable from the defendant as part of the judgment in case of conviction.

SEC. 13. *And be it further enacted*, That it shall be lawful for the President of the United States to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to aid in the execution of judicial process issued under this act. **Military Forces**

SEC. 14. *And be it further enacted*, That whenever any person shall hold office, except as a member of Congress or of some State legislature, contrary to the provisions of the third section of the fourteenth article of amendment of the Constitution of the United States, it shall be the duty of the district attorney of the United States for the district in which such person shall hold office, as aforesaid, to proceed against such person, by writ of quo warranto, returnable to the circuit or district court of the United States in such district, and to prosecute the same to the removal of such person from office; and any writ of quo warranto so brought, as aforesaid, shall take precedence of all other cases on the docket of the court to which it is made returnable, and shall not be continued unless for cause proved to the satisfaction of the court. **Disqualified person holding office.**

SEC. 15. *And be it further enacted*, That any person who shall hereafter knowingly accept or hold any office under the United States, or any State, to which he is ineligible under the third section of the fourteenth article of amendment of the Constitution of the United States, or who shall attempt to hold or exercise the duties of any such office, shall be deemed guilty of a misdemeanor against the United States, and, upon conviction thereof before the circuit or district court of the United States, shall be imprisoned not more than one year, or fined not exceeding one thousand dollars, or both, at the discretion of the court. **Disqualified person holding office.**

SEC. 16. *And be it further enacted*, That all persons within the jurisdiction of the United States shall have the same right in every State and Territory in the United States to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding. No tax or charge shall be imposed or enforced by any State upon any person immigrating thereto from a foreign country which is not equally imposed **Equal rights.**

and enforced upon every person immigrating to such State from any other foreign country; and any law of any State in conflict with this provision is hereby declared null and void.

Equal rights.

SEC. 17. *And be it further enacted*, That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by the last preceding section of this act, or to different punishment, pains or penalties on account of such person being an alien, or by reason of his color or race, than is prescribed for the punishment of citizens, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both in the discretion of the court.

SEC. 18. *And be it further enacted*, That the act to protect all persons in the United States in their civil rights, and furnish the means of their vindication, passed April nine, eighteen hundred and sixty-six, is hereby re-enacted; and sections sixteen and seventeen hereof shall be enforced according to the provisions of said act.

Wrongful voting
false personation,
voting twice, wrongful
registry, preventing
legal voting, &c., &c.

SEC. 19. *And be it further enacted*, That if at any election for representative or delegate in the Congress of the United States any person shall knowingly personate and vote, or attempt to vote, in the name of any other person, whether living, dead, or fictitious; or vote more than once at the same election for any candidate for the same office; or vote at a place where he may not be lawfully entitled to vote; or vote without having a lawful right to vote; or do any unlawful act to secure a right or an opportunity to vote for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or otherwise unlawfully prevent any qualified voter of any State of the United States of America, or of any Territory thereof, from freely exercising the right of suffrage, or by any such means induce any voter to refuse to exercise such right; or compel or induce by any such means, or otherwise, any officer of an election in any such State or Territory to receive a vote from a person not legally qualified or entitled to vote; or interfere in any manner with any officer of said elections in the discharge of his duties; or by any of such means, or other unlawful means, induce any officer of an election, or officer whose duty it is to ascertain, announce, or declare the result of any such election, or give or make any certificate, document, or evidence in relation thereto, to violate or refuse to comply with his duty, or any law regulating the same; or knowingly and wilfully receive the vote of any person not entitled to vote, or refuse to receive the vote of any person entitled to vote; or aid, counsel, procure, or advise any such voter, person, or officer to do any act hereby made a crime, or to omit to do any duty the omission of which is hereby made a crime, or attempt to do so, every such person shall be deemed guilty of a crime, and shall for such crime be liable to prosecution in any court of the United

States of competent jurisdiction, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or both, in the discretion of the court, and shall pay the costs of prosecution.

SEC. 20. [Amended. See first section, Act Feb. 28, 1871.]

SEC. 21. *And be it further enacted*, That whenever, by the laws of any State or Territory, the name of any candidate or person to be voted for as representative or delegate in Congress shall be required to be printed, written, or contained in any ticket or ballot with other candidates or persons to be voted for at the same election for State, territorial, municipal, or local officers, it shall be sufficient prima facie evidence, either for the purpose of indicting or convicting any person charged with voting, or attempting or offering to vote, unlawfully under the provisions of the preceding sections, or for committing either of the offenses thereby created, to prove that the person so charged or indicted, voted, or attempted or offered to vote, such ballot or ticket, or committed either of the offenses named in the preceding sections of this act with reference to such ballot. And the proof and establishment of such facts shall be taken, held, and deemed to be presumptive evidence that such person voted, or attempted or offered to vote, for such representative or delegate, as the case may be, or that such offense was committed with reference to the election of such representative or delegate, and shall be sufficient to warrant his conviction, unless it shall be shown that any such ballot, when cast, or attempted or offered to be cast, by him, did not contain the name of any candidate for the office of representative or delegate in the Congress of the United States, or that such offense was not committed with reference to the election of such representative or delegate.

Presumption as to voting.

SEC. 22. *And be it further enacted*, That any officer of any election at which any representative or delegate in the Congress of the United States shall be voted for, whether such officer of election be appointed or created by or under any law or authority of the United States, or by or under any State, territorial, district, or municipal law or authority, who shall neglect or refuse to perform any duty in regard to such election required of him by any law of the United States, or of any State or Territory thereof; or violate any duty so imposed, or knowingly do any act thereby unauthorized, with intent to affect any such election, or the result thereof; or fraudulently make any false certificate of the result of such election in regard to such representative or delegate; or withhold, conceal or destroy any certificate of record so required by law respecting, concerning, or pertaining to the election of any such representative or delegate; or neglect or refuse to make and return the same as so required by law; or aid, counsel,

Punishment of elective officers;

procure, or advise any voter, person, or officer to do any act by this or any of the preceding sections made a crime; or to omit to do any duty the omission of which is by this or any of said sections made a crime, or attempt to do so, shall be deemed guilty of a crime and shall be liable to prosecution and punishment therefor, as provided in the nineteenth section of this act for persons guilty of any of the crimes therein specified.

Depriving of
office.

SEC. 23. *And be it further enacted*, That whenever any person shall be defeated or deprived of his election to any office, except elector of President or Vice-President, representative or delegate in Congress, or member of a State legislature, by reason of the denial to any citizen or citizens who shall offer to vote, of the right to vote, on account of race color, or previous condition of servitude, his right to hold and enjoy such office, and the emoluments thereof shall not be impaired by such denial, and such person may bring any appropriate suit of proceeding to recover possession of such office, and in cases where it shall appear that the sole question touching the title to such office arises out of the denial of the right to vote to citizens who so offered to vote, on account of race, color, or previous condition of servitude, such suit or proceeding may be instituted in the circuit or district court of the United States of the circuit or district in which such person resides. And said circuit or district court shall have, concurrently with the State courts, jurisdiction thereof so far as to determine the rights of the parties to such office by reason of the denial of the right guaranteed by the fifteenth article of amendment to the Constitution of the United States, and secured by this act.

Approved May 31, 1870.

ACT OF JULY 14, 1870.

"AN ACT to amend the naturalization laws and to punish crimes against the same, and for other purposes."

Perjury in natu-
ralization mat-
ters.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where any oath, affirmation, or affidavit shall be made or taken, under or by virtue of any act or law relating to the naturalization of aliens, or in any proceedings under such acts or laws, and any person or persons taking or making, such oath, affirmation, or affidavit, shall knowingly swear or affirm falsely, the same shall be deemed and taken to be perjury, and the person or persons guilty thereof shall, upon conviction thereof, be sentenced to imprisonment for a term not exceeding five years and not less than one year and to a fine not exceeding one thousand dollars.

False personation,
using
wrongfully
or selling
naturalization
papers; papers
not rightfully
used, having in
possession
wrongful papers
and other simi-
lar acts.

SEC. 2. *And be it further enacted*, That if any person applying to be admitted a citizen, or appearing as a witness for any such person, shall knowingly personate any other person than himself or falsely appear in the name of a deceased person, or in an assumed or fictitious name, or if any person shall falsely make, forge, or counterfeit any oath, affirmation, notice, affidavit, certificate, order, record, signature, or other instrument, paper, or proceeding required or authorized by any law or act relating to or providing for the naturalization of aliens; or shall utter, sell, dispose of, or

use as true or genuine, or for any unlawful purpose, any false, forged, ante-dated, or counterfeit oath, affirmation, notice, certificate, order, record, signature, instrument, paper, or proceeding as aforesaid; or sell or dispose of to any person other than the person for whom it was originally issued, any certificate of citizenship, or certificate showing any person to be admitted a citizen; or if any person shall in any manner use for the purpose of registering as a voter, or as evidence of a right to vote, or otherwise, unlawfully, any order, certificate of citizenship, or certificate, judgment, or exemplification, showing such person to be admitted to be a citizen, whether heretofore or hereafter issued or made, knowing that such order or certificate, judgment, or exemplification has been unlawfully issued or made; or if any person shall unlawfully use, or attempt to use, any such order or certificate, issued to or in the name of any other person, or in a fictitious name, or in the name of a deceased person; or use, or attempt to use, or aid, or assist, or participate in the use of any certificate of citizenship, knowing the same to be forged or counterfeit, or ante-dated, or knowing the same to have been procured by fraud, or otherwise unlawfully obtained; or if any person, and without lawful excuse, shall knowingly have or be possessed of any false, forged, ante-dated, or counterfeit certificate of citizenship, purporting to have been issued under the provisions of any law of the United States relating to naturalization, knowing such certificate to be false, forged, ante-dated, or counterfeit, with intent unlawfully to use the same; or if any person shall obtain, accept, or receive any certificate of citizenship known to such person to have been procured by fraud, or by the use of any false name, or by means of any false statement made with intent to procure, or to aid in procuring, the issue of such certificate, or known to such person to be fraudulently altered or ante-dated; or if any person who has been or may be admitted to be a citizen shall, on oath or affirmation, or by affidavit, knowingly deny that he has been so admitted, with intent to evade or avoid any duty or liability imposed or required by law, every person so offending shall be deemed and adjudged guilty of felony, and, on conviction thereof, shall be sentenced to be imprisoned and kept at hard labor for a period not less than one year nor more than five years, or be fined in a sum not less than \$300 nor more than \$1,000, or both such punishments may be imposed, in the discretion of the court. And every person who shall knowingly and intentionally aid or abet any person in the commission of any such felony, or attempt to do any act hereby made felony, or counsel, advise, or procure, or attempt to procure, the commission thereof, shall be liable to indictment and punishment in the same manner and to the same extent as the principal party guilty of such felony, and such person may be tried and convicted thereof without the previous conviction of such principal.

Using papers
procured by
fraud or with-
out appearance
in court.

SEC. 3. *And be it further enacted*, That any person who shall knowingly use any certificate of naturalization heretofore granted by any court, or which shall hereafter be granted, which has been, or shall be, procured through fraud or by false evidence, or has been or shall be issued by the clerk, or any other officer of the court, without any appearance and hearing of the applicant in court and without lawful authority; and any person who shall falsely represent himself to be a citizen of the United States, without having been duly admitted to citizenship, for any fraudulent purpose whatever, shall be deemed guilty of a misdemeanor, and upon conviction thereof, in due course of law, shall be sentenced to pay a fine of not exceeding \$1,000, or be imprisoned not exceeding two years, either or both, in the discretion of the court taking cognizance of the same.

Jurisdiction
given to United
States Courts

SEC. 4. *And be it further enacted*, That the provisions of this act shall apply to all proceedings had or taken, or attempted to be had or taken, before any court in which any proceeding for naturalization shall be commenced, had, or taken, or attempted to be commenced; and the courts of the United States shall have jurisdiction of all offences under the provisions of this act, in or before whatsoever court or tribunal the same shall have been committed.

SEC. 5. [Repealed. See Act Feb. 28, 1871.]

SEC. 6. [Repealed. See Act Feb. 28, 1871.]

Naturalization
of colored per-
sons.

SEC. 7. *And be it further enacted*, That the naturalization laws are hereby extended to aliens of African nativity and to persons of African descent.

Approved, July 14, 1870.

NATIONAL ELECTION LAW

FOR CITIES OR TOWNS OF TWENTY THOUSAND INHABITANTS
OR UPWARDS.

ACT OF FEBRUARY 28, 1871.

AN ACT to amend an act approved May thirty-one, eighteen hundred and seventy, entitled "An act to enforce the rights of citizens of the United States to vote in the several States of this Union and for other purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty of the "Act to enforce the rights of citizens of the United States to vote in the several States of this Union, and for other purposes," approved May thirty-one, eighteen hundred and seventy, shall be, and hereby is, amended so as to read as follows:

Amending section 20, act May 31, 1870.

"SEC. 20. *And be it further enacted,* That if [at] any registration of voters for an election for Representative or Delegate in the Congress of the United States, any person shall knowingly personate and register, or attempt to register, in the name of any other person, whether living, dead, or fictitious, or fraudulently register, or fraudulently attempt to register, not having a lawful right so to do; or do any unlawful act to secure registration for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or other unlawful means, prevent or hinder any person having a lawful right to register from duly exercising such right; or compel or induce, by any of such means, or other unlawful means, any officer of registration to admit to registration any person not legally entitled thereto, or interfere in any manner with any officer of registration in the discharge of his duties, or by any such means, or other unlawful means, induce any officer of registration to violate or refuse to comply with his duty or any law regulating the same; or if any such officer shall knowingly and willfully register as a voter any person not entitled to be registered, or refuse to so register any person entitled to be registered; or if any such officer or other person whose duty it is to perform any duty in relation to such registration or election, or to ascertain, announce, or declare the result thereof, or give or make any certificate, document, or evidence in relation thereto, shall knowingly neglect or refuse to perform any duty required by law, or violate any duty imposed by law, or do any act unauthorized by law, relating to or affecting such registration or election, or the result thereof, or any certificate, document, or evidence in relation thereto, or if any person shall aid, counsel, procure, or advise any such voter, person, or officer to do any act hereby made a crime, or to

Penalty for unlawful acts in and concerning the registration of voters;

for knowingly neglecting or refusing to perform any duty, &c.;

for advising any one to do any act hereby made a crime, &c.

omit any act the omission of which is hereby made a crime, every such person shall be deemed guilty of a crime, and shall be liable to prosecution and punishment therefor, as provided in section nineteen of this act for persons guilty of any of the crimes therein specified: *Provided*, That every registration made under the laws of any State or Territory, for any State or other election at which such Representative or Delegate in Congress shall be chosen, shall be deemed to be a registration within the meaning of this act, notwithstanding the same shall also be made for the purposes of any State, territorial, or municipal election."

What to be deemed a registration under this act.

In cities or towns of over 20,000 inhabitants, upon the written application of two citizens, the circuit judge to appoint two supervisors of elections.

Proceedings for such appointments.

Qualifications of supervisors,

Court to be kept open, &c.

Power of judge in vacation or at chambers.

Under certain circumstances, district judges may be assigned

SEC. 2. *And be it further enacted*, That whenever in any city or town having upward of twenty thousand inhabitants, there shall be two citizens thereof who, prior to any registration of voters for an election for Representative or Delegate in the Congress of the United States, or prior to any election at which a Representative or Delegate in Congress is to be voted for, shall make known in writing, to the judge of the circuit court of the United States for the circuit wherein such city or town shall be, their desire to have said registration, or said election, or both, guarded and scrutinized, it shall be the duty of the said judge of the circuit court, within not less than ten days prior to said registration, if one there be, and if no registration be required, within not less than ten days prior to said election, to open the said circuit court at the most convenient point in said circuit. And the said court, when so opened by said judge, shall proceed to appoint and commission, from day to day and from time to time, and under the hand of the said circuit judge, and under the seal of said court, for each election district or voting precinct in each and every such city or town as shall, in the manner herein prescribed, have applied therefor, and to revoke, change, or renew said appointment, from time to time, two citizens, residents of said city or town, who shall be of different political parties and able to read and write the English language, and who shall be known and designated as supervisors of election. And the said circuit court, when opened by the said circuit judge, as required herein, shall therefrom and thereafter, and up to and including the day following the day of election, be always open for the transaction of business under this act; and the powers and jurisdiction hereby granted conferred shall be exercised as well in vacation as in term time; and a judge sitting at chambers shall have the same powers and jurisdiction, including the power of keeping order and of punishing any contempt of his authority, as when sitting in court.

SEC. 3. *And be it further enacted*, That whenever from sickness, injury, or otherwise, the judge of the circuit court of the United States in any judicial circuit shall be unable to perform and dis-

charge the duties by this act imposed, it shall be his duty, and he is hereby required, to select and to direct and assign to the performance thereof, in his place and stead, of such one ["to designate one or more"—*Act June 10, 1872,*] of the judges of the district courts of the United States within his circuit as he shall deem best; and upon such election and assignment being made, it shall be lawful for, and it shall be the duty of, the district judge so designated to perform and discharge, in the place and stead of the said circuit judge, all the duties, powers, and obligations imposed and conferred upon the said circuit judge by the provisions of this act.

to this duty by circuit judge.

When assigned to have all the powers of a circuit judge.

SEC. 4. *And be it further enacted,* That it shall be the duty of the supervisors of election, appointed under this act, and they and each of them are hereby authorized and required, to attend at all times and places fixed for the registration of voters, who, being registered, would be entitled to vote for a Representative or Delegate in Congress, and to challenge any person offering to register; to attend at all times and places when the names of registered voters may be marked for challenge, and to cause such names registered as they shall deem proper to be so marked; to make, when required, the lists, or either of them, provided for in section thirteen of this act, and verify the same; and upon any occasion, and at any time when in attendance under the provisions of this act, to personally inspect and scrutinize such registry, and for purposes of identification to affix their or his signature to each and every page of the original list, and each and every copy of any such list of registered voters, at such times, upon each day when any name may or shall be received, entered, or registered, and in such manner as will in their or his judgment detect and expose the improper or wrongful removal therefrom or addition thereto in any way of any name or names.

Duties of supervisors of election:

To attend at places of registry;

Have right to challenge,

and mark registered names for challenge;

To make lists of persons who register and verify same;

To inspect and scrutinize the registry and mark for identification the registry books, &c.

SEC. 5. *And be it further enacted,* That it shall also be the duty of the said supervisors of election, and they and each of them are hereby authorized and required, to attend at all times and places for holding elections of Representatives or Delegates in Congress, and for counting the votes cast at said elections; to challenge any vote offered; to be and remain where the ballot-boxes are kept at all times after the polls are open until each and every vote cast at said time and place shall be counted, the canvass of all votes polled be wholly completed, and the proper and requisite certificates or returns made, whether said certificates or returns be required under any law of the United States, or any State, territorial, or municipal law; and to personally inspect and scrutintize, from time to time, and at all times, on the day of election, the manner in which the voting is done, and the way and method in which the poll-books, registry lists, and tallies or check-books, whether the same are required by any law of the United

Supervisors to attend at polling places;

to challenge voters and be and remain where the ballot boxes are kept and the canvass and returns are made.

To scrutinize the manner in which the voting is done, and registry and poll books are kept.

States, or any State, territorial, or municipal law, are kept; and to the end that each candidate for the office of Representative or Delegate in Congress shall obtain the benefit of every vote for him cast, the said supervisors of election are, and each of them is, hereby required, in their or his respective election districts or voting precincts, to personally scrutinize, count, and canvass each and every ballot in their or his election district or voting precinct cast, whatever may be the indorsement on said ballot, or in whatever box it may have been placed or be found; to make and forward to the officer, who, in accordance with the provisions of section thirteen of this act, shall have been designated as the chief supervisor of the judicial district in which the city or town wherein they or he shall serve shall be, such certificates and returns of all such ballots as said officer may direct and require; and to attach to the registry list, and any and all copies thereof, and to any certificate, statement, or return, whether the same or any part or portion thereof, be required by any law of the United States, or of any other State, territorial, or municipal law, any statement touching the truth or accuracy of the registry, or the truth or fairness of the election and canvass, which the said supervisors of election, or either of them, may desire to make or attach, or which should properly and honestly be made or attached, in order that the facts may become known, any law of any State or Territory to the contrary notwithstanding.

Supervisors to personally scrutinize and count each and every ballot in each and every box.

To forward to chief supervisor such certificates and returns as he may require.

To attach any proper statement to any certificate, statement or return.

Supervisors to remain either before or behind the boxes as they may deem best for purposes of scrutinizing registry and canvass.

At closing of polls to take such place as will best enable them to discharge their duties in respect to canvass.

SEC. 6. *And be it further enacted*, That the better to enable the said supervisors of election to discharge their duties, they are, and each of them is, hereby authorized and directed, in their or his respective election districts or voting precincts, on the day or days of registration, on the day or days when registered voters may be marked to be challenged, and on the day or days of election, to take, occupy, and remain in such position or positions, from time to time, whether before or behind the ballot-boxes, as will, in their judgment, best enable them or him to see each person offering himself for registration or offering to vote, and as will best conduce to their or his scrutinizing the manner in which the registration or voting is being conducted; and at the closing of the polls for the reception of votes, they are, and each of them is, hereby required to place themselves or himself in such position in relation to the ballot-boxes for the purpose of engaging in the work of canvassing the ballots in said boxes contained, as will enable them or him to fully perform the duties in respect to such canvass provided in this act, and shall there remain until every duty in respect to such canvass, certificates, returns, and statements shall have been wholly completed, any law of any State or Territory to the contrary notwithstanding.

SEC. 7. *And be it further enacted*, That if in any election district or voting precinct in any city, town or village, for which there shall

have been appointed supervisors of election for any election at which a Representative or Delegate in Congress shall be voted for, the said supervisors of election, or either of them, shall not be allowed to exercise and discharge fully and freely, and without bribery, solicitation, interference, hinderance, molestation, violence, or threats thereof, on the part of or from any person or persons, each and every of the duties, obligations, and powers conferred upon them by this act and the act hereby amended, it shall be the duty of the supervisors of election, and each of them, to make prompt report, under oath, within ten days after the day of election, to the officer who in accordance with the provisions of section thirteen of this act, shall have been designated as the chief supervisor of the judicial district in which the city or town wherein they or he served shall be, of the manner and means by which they were, or he was, not so allowed to fully and freely exercise and discharge the duties and obligations required and imposed by this act. And upon receiving any such report, it shall be the duty of the said chief supervisor, acting both in such capacity and officially as a commissioner of the circuit court, to forthwith examine into all the facts thereof; to subpoena and compel the attendance before him of any witnesses; administer oaths and take testimony in respect to the charges made; and prior to the assembling of the Congress for which any such Representative or Delegate was voted for, to have filed with the Clerk of the House of Representatives of the Congress of the United States all the evidence by him taken, all information by him obtained, and all reports to him made.

Supervisors are to report, under oath, to chief supervisor, within ten days after election, any bribery, solicitation, interference or violence on the part of any person towards them.

Duty of chief supervisor in such case.

SEC. 8. *And be it further enacted*, That whenever an election, at which Representatives or Delegates in Congress are to be chosen, shall be held in any city or town of twenty thousand inhabitants or upward, the marshal of the United States for the district in which said city or town is situated shall have power, and it shall be his duty, on the application, in writing, of at least two citizens residing in any such city or town, to appoint special deputy marshals, whose duty it shall be, when required as provided in this act, to aid and assist the supervisors of election in the verification of any list of persons made under the provisions of this act, who may have registered, or voted, or either; to attend in each election district or voting precinct at the times and places fixed for the registration of voters, and at all times and places when and where said registration may by law be scrutinized, and the names of registered voters be marked for challenge; and also to attend, at all times for holding such elections, the polls of the election in such district or precinct. And the marshal and his general deputies, and such special deputies, shall have power, and it shall be the duty of such special deputies, to keep the peace, and support and protect the supervisors of elections

In cities or towns of 20,000 inhabitants the marshal of the United States, upon the written request of two citizens, shall appoint deputies.

Duties of such deputies.

They shall keep the peace and prevent fraud, &c.

in the discharge of their duties, preserve order at such places of registration and at such polls, prevent fraudulent registration and fraudulent voting thereat, or fraudulent conduct on the part of any officer of election, and immediately, either at said place of registration, or polling-place, or elsewhere, and either before or after registering or voting, to arrest and take into custody, with or without process, any person who shall commit, or attempt or offer to commit, any of the acts or offenses prohibited by this act, or the act here by amended, or who shall commit any offense against the laws of the United States: *Provided*, That no person shall be arrested without process for any offense not committed in the presence of the marshal or his general or special deputies, or either of them, or of the supervisors of election, or either of them, and, for the purposes of arrest or the preservation of the peace, the supervisors of election, and each of them, shall, in the absence of the marshal's deputies, or if required to assist said deputies, have the same duties and powers as deputy marshals: *And provided further*, That no person shall on the day or days of any such election be arrested without process for any offense committed on the day or days of registration.

May arrest without process,

provided offense is committed in presence of any supervisor or deputy marshal.

But on day of election only for offenses committed on that day.

Persons arrested to be forthwith taken before U.S. commissioner, &c.

SEC. 9. *And be it further enacted*, That whenever any arrest is made under any provision of this act, the person so arrested shall forthwith be brought before a commissioner, judge, or court of the United States for examination of the offenses alleged against him, and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in case of crimes against the United States.

Supervisors and deputy marshals cannot be obstructed, hindered or interfered with by any State authority or any individual, &c.

SEC. 10. *And be it further enacted*, That whoever, with or without any authority, power, or process, or pretended authority, power, or process, of any State, territorial, or municipal authority, shall obstruct, hinder, assault, or, by bribery, solicitation, or otherwise, interfere with or prevent the supervisors of election, or either of them, or the marshal or his general or special deputies, or either of them, in the performance of any duty required of them, or either of them, or which he or they, or either of them, may be authorized to perform by any law of the United States, whether in the execution of process or otherwise, or shall by any of the means before mentioned hinder or prevent the free attendance and presence at such places of registration or at such polls of election, or full and free access and egress to and from any such place of registration or poll of election, or in going to and from any such place of registration or poll of election, or to and from any room where any such registration or election or canvass of votes, or of making any returns or certificates thereof may be had, or shall molest, interfere with, remove, or eject from any such place of registration or poll of election, or of canvassing votes cast thereat, or of making returns or

Nor molested, removed or ejected from any place of registry or polling place, &c.

certificates thereof, any supervisor of election, the marshal, or his general or special deputies, or either of them, or shall threaten, or attempt, or offer so to do, or shall refuse or neglect to aid and assist any supervisor of election, or the marshal or his general or special deputies, or either of them, in the performance of his or their duties when required by him or them, or either of them, to give such aid and assistance, he shall be guilty of a misdemeanor, and liable to instant arrest without process, and on conviction thereof shall be punished by imprisonment not more than two years, or by fine not more than three thousand dollars, or by both such fine and imprisonment, and shall pay the costs of the prosecution. Whoever shall, during the progress of any verification of any list of the persons who may have registered or voted, and which shall be had or made under any of the provisions of this act, refuse to answer, or refrain from answering, or answering shall give false information in respect to an inquiry lawfully made, such person shall be liable to arrest and imprisonment as for a misdemeanor, and on conviction thereof shall be punished by imprisonment not to exceed thirty days, or by fine, not to exceed one hundred dollars, or by both such fine and imprisonment, and shall pay the costs of the prosecution.

Penalty there-
for.

During verifica-
tion of registry
refusal to an-
swer all lawful
inquiries a mis-
demeanor.

SEC. 11. *And be it further enacted,* That whoever shall be appointed a supervisor of election, or a special deputy marshal under the provisions of this act, and shall take the oath of office as such supervisor of election or such special deputy marshal, who shall thereafter neglect or refuse, without good and lawful excuse to perform and discharge fully the duties, obligations, and requirements of such office, until the expiration of the term for which he was appointed, shall not only be subject to removal from office with loss of all pay or emoluments, but shall be guilty of a misdemeanor, and on conviction shall be punished by imprisonment, for not less than six months, nor more than one year, or by fine not less than two hundred dollars, and not exceeding five hundred dollars, or by both fine and imprisonment, and shall pay the costs of prosecution.

Neglect or re-
fusal on part of
supervisors or
deputy marshals
to fully perform
their duties a
misdemeanor.

SEC. 12. *And be it further enacted,* That the marshal, or his general deputies, or such special deputies, as shall be thereto specially empowered by him, in writing, and under his hand and seal, whenever he or his said general deputies or his special deputies, or either or any of them, shall be forcibly resisted in executing their duties under this act, or the act hereby amended, or shall, by violence, threats, or menaces, be prevented from executing such duties, or from arresting any person or persons who shall commit any offense for which said marshal or his general or his special deputies are authorized to make such arrest, are, and each of them is hereby, empowered to summon and call to his or their aid the bystanders or posse comitatus of his district.

The marshal,
his general
deputies and
specially em-
powered special
deputies, when
prevented from
discharging
their duties,
have right to
call upon by-
standers to aid
them.

Circuit Courts before May 1, 1870, to appoint one of the U. S. Commissioners, Chief Supervisor of Elections for the district in which he is a Commissioner.

Term of office.

Duties of Chief Supervisor.

The Marshal and all U. S. Commissioners in each district performing any duties under this act, to forward all papers to Chief Supervisor of their district.

SEC. 13. *And be it further enacted*, That it shall be the duty of each of the circuit courts of the United States in and for each judicial circuit, upon the recommendation in writing of the judge thereof, to name and appoint, on or before the first day of May, in the year eighteen hundred and seventy-one, and thereafter as vacancies may from any cause arise, from among the circuit court commissioners in and for each judicial district in each of said judicial circuits, one of such officers, who shall be known for all duties required of him under this act as the chief supervisor of elections of the judicial district in and for which he shall be a commissioner, and shall, so long as faithful and capable, discharge the duties in this act imposed, and whose duty it shall be to prepare and furnish all necessary books, forms, blanks, and instructions for the use and direction of the supervisors of election in the several cities and towns in their respective districts; to receive the applications of all parties for appointment to such positions; and upon the opening, as contemplated in this act, of the circuit court for the judicial circuit in which the commissioner so designated shall act, to present such applications to the judge thereof, and furnish information to said judge in respect to the appointment by the said court of such supervisors of election; to require of the supervisors of election, where necessary, lists of the persons who may register and vote, or either, in their respective election districts or voting precincts, and to cause the names of those upon any such list whose right to register or vote shall be honestly doubted to be verified by proper inquiry and examination at the respective places by them assigned as their residences; and to receive, preserve, and file all oaths of office of said supervisors of election, and of all special deputy marshals appointed under the provisions of this act, and all certificates, returns, reports, and records of every kind and nature contemplated or made requisite under and by the provisions of this act, save where otherwise herein specially directed. And it is hereby made the duty of all United States marshals and commissioners who shall in any judicial district perform any duties under the provisions of this act, or the act hereby amended, relating to, concerning, or affecting the election of Representatives or Delegates in the Congress of the United States, to, from time to time, and with all due diligence, forward to the chief supervisor in and for their judicial district all complaints, examinations, and records pertaining thereto, and all oaths of office by them administered to any supervisor of election or special deputy marshal, in order that the same may be properly preserved and filed.

Pay of Chief Supervisor.

SEC. 14. *And be it further enacted*, That there shall be allowed and paid to each chief supervisor, for his services, as such officer, the following compensation, apart from and in excess of all fees allowed by

law for the performance of any duty as circuit court commissioner: For filing and caring for every return, report, record, document, or other paper required to be filed by him under any of the provisions of this act, ten cents; for affixing a seal to any paper, record, report, or instrument, twenty cents; for entering and indexing the records of his office, fifteen cents per folio; and for arranging and transmitting to Congress, as provided for in section seven of this act, any report, statement, record, return, or examination, for each folio, fifteen cents; and for any copy thereof, or of any paper on file, a like sum. And there shall be allowed and paid to each and every supervisor of election, and each and every special deputy marshal who shall be appointed and shall perform his duty under the provisions of this act, compensation at the rate of five dollars per day for each and every day he shall have actually been on duty not exceeding ten days. And the fees of the said chief supervisors shall be paid at the Treasury of the United States, such accounts to be made out, verified, examined, and certified as in case of accounts of commissioners, save that the examination or certificate required may be made by either the circuit or district judge.

Pay of Supervisors and special Deputy Marshals.

Fees of Chief supervisor to be paid at U. S. Treasury.

SEC. 15. *And be it further enacted*, That the jurisdiction of the circuit court of the United States shall extend to all cases in law or equity arising under the provisions of this act or the act hereby amended; and if any person shall receive any injury to his person or property for or on account of any act by him done under any of the provisions of this act or the act hereby amended, he shall be entitled to maintain suit for damages therefor in the circuit court of the United States, in the district wherein the party doing the injury may reside or shall be found.

Jurisdiction of the circuit court extended.

Suits for damages in circuit courts.

SEC. 16. *And be it further enacted*, That in any case where suit or prosecution, civil or criminal, shall be commenced in a court of any State against any officer of the United States, or other person, for or on account of any act done under the provisions of this act, or under color thereof, or for or on account of any right, authority, or title set up or claimed by such officer or other person under any of said provisions, it shall be lawful for the defendant in such suit or prosecution, at any time before trial, upon a petition to the circuit court of the United States in and for the district in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate signed by an attorney or counselor-at-law of some court of record of the State in which such suit shall have been commenced, or of the United States, setting forth that as counsel for the petition [er] he has examined the proceedings against him, and has carefully inquired into all the matters set forth in the petition, and that he believes the same to be true, which petition,

Civil or criminal suits in any State court against any person for or on account of things done under this act, may be removed to circuit court or United States upon petition.

Mode of procedure.

affidavit, and certificate shall be presented to the said circuit court, if in session, and, if not, to the clerk thereof at his office, and shall be filed in said office, and the cause shall thereupon be entered on the docket of said court, and shall be thereafter proceeded in as a cause originally commenced in that court; and it shall be the duty of the clerk of said court, if the suit was commenced in the court below by summons, to issue a writ of certiorari to the State court, requiring said court to send to the said circuit court the record and proceedings in said cause; or if it was commenced by *capias*, he shall issue a writ of *habeas corpus cum causa*, a duplicate of which said writ shall be delivered to the clerk of the State court, or left at his office by the marshal of the district, or his deputy, or some person duly authorized thereto; and thereupon it shall be the duty of the said State court to stay all further proceedings in such cause, and the said suit or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court, and any further proceedings, trial, or judgment therein in the State court shall be wholly null and void; and any person, whether an attorney or officer of any State court, or otherwise, who shall thereafter take any steps, or in any manner proceed in the State court in any action so removed, shall be guilty of a misdemeanor, and liable to trial and punishment in the court to which the action shall have been removed, and upon conviction thereof shall be punished by imprisonment for not less than six months nor more than one year, or by fine not less than five hundred nor more than one thousand dollars, or by both such fine and imprisonment, and shall in addition thereto be amenable to the said court to which said action shall have been removed as for a contempt; and if the defendant in any such suit be in actual custody on mesne process therein, it shall be the duty of the marshal, by virtue of the writ of *habeas corpus cum causa*, to take the body of the defendant into his custody, to be dealt with in the said cause according to the rules of law and the order of the circuit court, or of any judge thereof in vacation. And all attachments made, and all bail or other security given upon such suit or prosecution shall be and continue in like force and effect as if the same suit or prosecution had proceeded to final judgment and execution in the State court. And if upon the removal of any such suit or prosecution, it shall be made to appear to the said circuit court that no copy of the record and proceedings therein in the State court can be obtained, it shall be lawful for said circuit court to allow and require the plaintiff to proceed *de novo*, and to file a declaration of his cause of action, and the parties may thereupon proceed as in actions originally brought in said circuit court; and on failure of so proceeding, judgment of non *prosequitur* may be rendered against the plaintiff, with costs for the defendant.

Clerk of court to
issue a writ to
State court.

Proceedings in
State court then
to cease.

Penalty for pro-
ceeding further
in State court.

If the defendant
is in custody the
marshal to take
him.

Attachments,
bail, &c.

If record of State
court cannot be
obtained, court
may order plain-
tiff to begin
anew,

or be defaulted.

SEC. 17. *And be it further enacted,* That in any case in which any party is or may be by law entitled to copies of the record and proceedings in any suit or prosecution in any State court, to be used in any court of the United States, if the clerk of said State court shall, upon demand and the payment or tender of the legal fees, refuse or neglect to deliver to such parties certified copies of such record and proceedings, the court of the United States in which such record and proceedings may be needed, on proof by affidavit that the clerk of such State court has refused or neglected to deliver copies thereof on demand as aforesaid, may direct and allow such record to be supplied by affidavit or otherwise as the circumstances of the case may require and allow; and thereupon such proceeding, trial, and judgment may be had in the said court of the United States, and all such processes awarded, as if certified copies of such records and proceedings had been regularly before the said court; and hereafter in all civil actions in the courts of the United States either party thereto may notice the same for trial.

If clerk of State court unlawfully refuses to deliver copies of records, &c., the circuit court may allow the records to be supplied by affidavit.

Subsequent proceedings in such case.

Notice of actions for trial.

SEC. 18. *And be it further enacted,* That sections five and six of the act of the Congress of the United States, approved, July fourteen, eighteen hundred and seventy, and entitled: "An act to amend the naturalization laws and to punish crimes against the same," be, and the same are hereby repealed, but this repeal shall not affect any proceeding or prosecution now pending for any offense under the said sections, or either of them, or any question which may arise therein respecting the appointment of the persons in said sections, or either of them, provided for, or the powers, duties, or obligations of such persons.

Repeal of sections five and six, act of July 14, 1870.

Pending prosecutions, &c., not effected thereby.

SEC. 19. *And be it further enacted,* That all votes for Representatives in Congress shall hereafter be by written or printed ballot, any law of any State to the contrary notwithstanding, and all votes received or recorded contrary to the provisions of this section shall be of no effect.

Votes for representatives in Congress, to be only by written or printed ballot

Approved, Feb. 28th, 1871.

NATIONAL ELECTION LAW

FOR PLACES OTHER THAN CITIES OF TWENTY THOUSAND
INHABITANTS AND UPWARD.

ACT OF JUNE 10, 1872.

The Act of February 28, 1871, relative to the right of citizens to vote, and any acts amendatory thereof, or supplementary thereto, are by the following provisions supplemented and amended so as to further provide:

Whenever in any county or parish ten citizens ask in writing for supervision of registration or election, the circuit judge shall open court and appoint two citizens of different political parties, &c., supervisors of elections.

Power and jurisdiction of the court.

No compensation to supervisors save in cities or towns of 20,000 inhabitants.

That whenever, in any county or parish in any congressional district, there shall be ten citizens thereof, of good standing, who, prior to any registration of voters for an election for representatives in Congress, or prior to any election at which a representative in Congress is to be voted for, shall make known, in writing, to the judge of the circuit court of the United States for the district wherein such county or parish is situate, their desire to have said registration or election both guarded and scrutinized, it shall be the duty of the said judge of the circuit court, within not less than ten days prior to said registration or election, as the case may be, to open the said court at the most convenient point in said district; and the said court when so opened by said judge, shall proceed to appoint and commission, from day to day, and from time to time, and under the hand of the said judge, and under the seal of said court, for such election district or voting precinct in said congressional district as shall, in the manner herein prescribed, have been applied for, and to revoke, change, or renew said appointment from time to time, two citizens, residents of said election district or voting precinct in said county or parish, who shall be of different political parties, and able to read and write the English language, and who shall be known and designated as supervisors of election; and the said court, when opened by the said judge as required herein, shall, therefrom and thereafter and up to and including the day following the day of the election, be always open for the transaction of business under this act; and the powers and jurisdiction hereby granted and conferred shall be exercised, as well in vacation as in term time; and a judge sitting at chambers, shall have the same powers and jurisdiction, including the power of keeping order and of punishing any contempt of his authority, as when sitting in the court: *Provided*, That no compensation shall be allowed to the supervisors as herein authorized to be appointed, except those appointed in cities or towns of twenty thousand or more inhabitants.

And no person shall be appointed under this act as supervisor of election who is not at the time of his appointment a qualified voter of the county, parish, election district, or voting precinct for which he is appointed.

Under this act supervisor must be qualified voter of the county, &c., in which he is appointed.

And no person shall be appointed deputy marshal under the act of which this is amendatory, who is not a qualified voter at the time of his appointment, in the county, parish, district, or precinct in which his duties are to be performed.

Deputy marshals, under act of 1871, must be qualified voters in county, &c., in which duties are to be performed.

And section thirteen of the act of which this is an amendment, shall be construed to authorize and require the circuit courts of the United States in said section mentioned to name and appoint, as soon as may be after the passage of this act, the commissioners provided for in said section in all cases in which such appointments have not already been made in conformity therewith.

Chief Supervisors of elections, not heretofore appointed, to be at once designated.

And the third section of the act to which this is an amendment shall be taken and construed to authorize each of the judges of the circuit courts of the United States to designate one or more of the judges of the district courts within his circuit, to discharge the duties arising under this act, or the act to which this is an amendment.

More than one of the district judges may be designated by circuit judge to perform duties under this act and act of 1871.

And the words "any person" in section four of the act of May thirty-first, eighteen hundred and seventy, shall be held to include any officer or other person having powers or duties of an official character under this act or the act to which this is an amendment:

Words "any person," in act of 1870, to include, &c.

Provided, That nothing in this section shall be so construed as to authorize the appointment of any marshals or deputy marshals in addition to those heretofore authorized by law.

Appointment of additional marshals or deputies not authorized by this act.

And provided further, That the supervisors herein provided for shall have no power or authority to make arrests or to perform other duties than to be in the immediate presence of the officers holding the election, and to witness all their proceedings, including the counting of the votes and the making of a return thereof.

Supervisors appointed under this act to perform no duties other than to be in presence of election officers and witness all their proceedings, including the counting of the votes and making return thereof.

Approved June 10, 1872.

NATURALIZATION OF SEAMEN.

ACT OF JUNE 7, 1872.

By section 29, Act of June 7, 1872, it is provided as follows :

Seamen, being foreigners, may become citizens by declaring intent and serving three years in merchant service.

When to be deemed citizens for purpose of manning or serving on board American merchantmen.

To be entitled to protection after filing declaration of intent.

SECTION 29. That every seaman, being a foreigner, who declares his intention of becoming a citizen of the United States in any competent court, and shall have served three years on board of a merchant ship or ships of the United States, subsequent to the date of such declaration, may, on his application to any competent court, and the production of his certificate of discharge and good conduct during that time, together with the certificate of his declaration of intention to become a citizen, be admitted a citizen of the United States ; and every seaman, being a foreigner, shall, after his declaration of intention to become a citizen of the United States, and shall have served said three years, be deemed a citizen of the United States for the purpose of manning and serving on board any merchant ship of the United States, anything to the contrary in any previous act of Congress notwithstanding ; but such seaman shall, for all purposes of protection as an American citizen, be deemed such, after the filing of his declaration of intention to become such citizen.

AN ACT

IN RELATION TO ELECTIONS IN THE CITY AND COUNTY OF NEW YORK, AND TO PROVIDE FOR ASCERTAINING, BY PROPER PROOFS, THE CITIZENS WHO SHALL BE ENTITLED TO THE RIGHT OF SUFFRAGE THEREAT.

THE PEOPLE OF THE STATE OF NEW YORK, Represented in Senate and Assembly, do enact as follows :

SECTION 1. Hereafter, all officers to be elected by the people in the City and County of New York, shall be chosen at the General Election in November, except in cases where other elections may be authorized by law,

All officers
elected in No-
vember except.

SECTION 2. The days upon which the general or local election shall hereafter be held in the City and County of New York shall, for all purposes whatever, as regards the presenting for payment or acceptance, and of the protesting and giving notice of the dishonor of bills of exchange, bank-checks and promissory notes, made after the passage of this act, be treated and considered as is the first day of the week, commonly called Sunday.

Election days
legal holidays.

SECTION 3. At elections hereafter to be held in the City and County of New York, the boxes to be used in receiving the ballots thereat, shall be marked and numbered successively as follows: Number one, "President"; number two, "General"; number three, "Congress"; number four, "Senator"; number five, "Assembly"; number six, "City"; number seven, "School"; number eight, "Justices"; and at every

Ballot boxes
how marked.

Boxes to be
furnished.

election hereafter to be held in said City and County, such number of boxes, marked as aforesaid, shall be furnished, as may be required by law, to receive the ballots to be used at such election.

Ballot for Pres-
ident and Vice-
President.

Form of

How folded and
indorsed.

SECTION 4. The ballot for electors of President and Vice-President shall be the same as now prescribed by law, and, when folded, shall be indorsed, or show on the outside, the words "President, number one," and be deposited in box number one.

Names of City
and County
Officers except,
&c., to be on
one ballot, to
designate name
and office.

All other officers in whose election all the voters of said City and County alike participate, except those herein designated to be voted for on separate ballots, shall be voted for upon one ballot, which upon the face thereof shall contain a designation of the offices, and the name or names of the person or persons to be voted for, or such of them as any voter may desire to vote for, and which, when folded, shall be indorsed, or show upon the outside thereof, the words "General, number two," and be deposited in box number two.

How folded.

How indorsed.

Separate ballots
for Rep. in
Congress.

The name of the person designated for representative in Congress shall be on a separate ballot, which upon the face thereof shall contain a designation of the office and the district for which the officer is to be elected ; and which, when folded, shall be indorsed, or show upon the outside thereof, the words " Congress, number three," and be deposited in box number three.

To designate
name, office,
and district.
How folded.
How indorsed.

Where de-
posited.

Separate ballot
for Senator.

The name of the person designated for Senator shall be on a separate ballot, which, upon the face thereof, shall contain a designation of the office and the district for which the officer is to be elected, and which, when folded, shall be indorsed, or show upon the outside thereof, the words " Senator, number four," and be deposited in box number four.

To designate
name, office,
and district.
How folded.
How indorsed.

Where de-
posited.

Separate ballot
for Member of
Assembly, to
designate name,
office, and dis-
trict.

The name of the person designated for Member of Assembly shall be on a separate ballot which, upon the face thereof, shall contain a designation of the office and the district for which the officer is to be elected, and

which, when folded, shall be indorsed, or show upon the outside thereof, the words "Assembly, number five," and be deposited in box number five.

How folded.
How indorsed.
Where deposited,

The names of the persons designated for Aldermen and Assistant Aldermen shall be on a separate ballot, which, upon the face thereof, shall contain a designation of the office, and the district for which the officers are to be elected, and which, when folded, shall be indorsed, or show upon the outside thereof the words "City, number six," and be deposited in box number six.

Separate ballot for Aldermen and Asst. Aldermen.
To designate name, office, and district.
How folded.
How indorsed.
Where deposited.

The names of the persons designated for Commissioners of Public Instruction shall be on a separate ballot, which, upon the face thereof, shall contain a designation of the office and the senate district for which the officers are to be elected, and which, when folded, shall be indorsed, or show upon the outside thereof, the words "Commissioners of Public Instruction, number seven," and be deposited in box number seven.

Separate ballot for Com. Pub. Instruction.
To designate name, office, and district.
How folded, indorsed.
Where deposited.

The names of the persons designated for Police justice and justice of the district court shall be upon one ballot, which ballot, upon the face thereof, shall contain a designation of the office, and the district for which the officers are to be elected, and the name or names of the person or persons to be voted for, or such of them as any voter may desire to vote for, and which, when folded, shall be indorsed, or show upon the outside thereof, the words "Justices, number eight," and be deposited in box number eight.

One ballot for Police Justice and Justice of the District Court.
To designate names, office, and district.
How folded.
How indorsed
Where deposited.

SECTION 5. At all elections hereafter held in the City and County of New York, the polls shall be opened at six o'clock in the morning, and close at four o'clock in the afternoon.

At all elections
Polls open at 6 A. M. and close at 4 P. M.

SECTION 6. At every election hereafter held in the city and county of New York, the election and canvass of the votes cast thereat shall be in all

Elections and canvass in the city to be conducted in con-

conformity with
Gen'l Election
laws except as
herein provided

respects conducted in conformity to the provisions of the general election laws of this State, except as in this Act otherwise provided.

Board of Police
to establish
Bureau of Elec-
tions.

SECTION 7. It is hereby made the duty of "the board of police" of the city of New York, on or before the first day of August, eighteen hundred and seventy-two to establish a bureau in the office of the department of police, in the city and county of New York, to be known and designated as the bureau of elections. The affairs of said bureau shall, under and subject to such rules, regulations and orders as may from time to time be made and adopted by said board of police, be managed, conducted and carried on by a suitable and proper person, to be chosen and selected by said board, who shall be known as the chief of the bureau of elections, shall hold office for the period of three years, and whose salary shall be fixed and paid by said board, at such sum as they shall deem proper, not exceeding five thousand dollars, and shall be removable by the board of police for cause.

And appoint a
Chief of the
Bureau of Elec-
tions.

Term of office 3
years.

Salary to be
fixed by the
Board not ex-
ceeding \$ 5,000.

Removable by
Board for cause

Board of Police
to prepare
books for regis-
tration of names
and facts.

To be called
Registers.

To contain the
name of each
street and No.
of each dwelling.

Names of all
male persons in
each dwelling
applying for
registration.

SECTION 8. It shall also be the duty of "the board of police" to at once cause to be prepared books for the registration of names and facts required by this act. Said books to be known by the general name of registers, and to be so arranged as to admit of the entering, under the name of each street or avenue in each election district, and the number of each dwelling in any such street or avenue, if there be a number thereto, and if there be no number, under such other definite description of the location of the dwelling place as shall enable it to be readily ascertained, found and located, of the names of all male persons resident in each dwelling in each of said districts who shall apply for registration. Said registers shall be ruled in parallel columns, in which, opposite to and against the name of every applicant,

shall be entered the words and figures hereinafter provided in this act, and shall be of such size as to contain not less than seven hundred names, and so prepared as that they may be used at each election in the city and county of New York, until such time as is in this act provided for the succeeding general registration, and shall, on the inside, be in appearance and form as follows, to wit:

Registers, how ruled, and to be of size to contain 700 names.

When used.

REGISTER OF VOTERS.

RESIDENCE.	Room number.	Address.	Sworn,	Nativity.	Color.	TERM OF RESIDENCE.			Naturalized.	Date of papers.	Court.	Qualified voter.	Date of application.	Why disqualified.	Date of erasing name	Voted November —	Voted April —	Challenged.	Remarks.
141 East 32d street.		Hill, John H.,..... Stevenson, Benjamin Dennison, William M.,	Yes Yes Yes	England.. Georgia.. Canada...	White.. Colored White...	6 months.. 1 year	Assembly district.	County.	State.	Yes. Native.. Yes.....	May 17, 1871 Oct. 30, 1868	Superior, N. Y.. Supreme, N. Y..	Yes Yes Yes	March 16, 1872.. March 15, 1872.. March 30, 1872..					
143 do do ..																			
350 Third avenue...																			
352 do do ..																			

[These spaces to be filled up after the manner of the above.]

SECTION 9. It shall be the duty of "the board of police," on or before the first day of September, in the year one thousand eight hundred and seventy-two, to divide the several assembly districts in the City and County of New York into election districts, so that each election district shall contain, as near as practicable, two hundred and fifty voters; and it shall not be lawful for said Board to thereafter alter or change either the number or boundaries of any election district so fixed by them, save in such years as by law the said city and county is re-districted by assembly districts, and in such years as the usual and customary national enumeration of citizens in said city and county is had and taken, when a general re-districting of said city and county, upon the same basis as to number of voters as is in this section above provided, shall be made by assembly districts at least as early as the twentieth day of September in said years.

Board of Police to divide assembly districts into election districts

Each district to contain 250 voters.

Such districts not to be changed except, &c. &c.

When to re-district on same basis.

SECTION 10. It shall be the duty of the chief of the bureau of elections to receive, file and preserve in his office all resolutions, orders, rules and regulations of said board of police, pertaining to or in anywise affecting the conduct of the affairs of his bureau; to prepare and furnish all necessary registers, books, maps, forms, oaths, certificates, blanks and instructions for the use of the inspectors of election and the board of county canvassers; to provide for the furnishing of such officers therewith and with all necessary supplies; to have and retain the custody of all registers and copies thereof provided for in this act, all oaths of office and of removal, and all records, papers and certificates of every kind and nature pertaining to the affairs of his bureau, the conduct of any registration of electors, revision thereof, or of any election; and to have charge of the fitting up of all polling places. The said chief shall, for any revision of any general registration, issue to each of the inspectors of election, in

Duties of the Chief of Bureau of Elections to keep certain papers,

to prepare and furnish books and stationary.

and all needed supplies,

to have custody of, and keep all records, papers, &c.

to have charge of fitting up of polling places,

to issue Registers in certain cases.

each election district in the city and county of New York, one of the registers of said district in use therein at the preceding election and returned to and filed by him in his office.

To appoint a
Chief Clerk.

Salary not to
exceed \$2,000.

Board to furnish
other clerical
force from
among patrol-
men.

SECTION 11. The chief of the bureau of elections shall have the right, subject to the approval of the board of police, to appoint a chief clerk, who shall receive a salary not exceeding \$2 000 per annum. Such other clerical assistance as, in the judgment of said board, shall be necessary and proper for the faithful performance by the bureau of elections of the duties in this act imposed, shall be furnished by said board by detail from among the patrolmen under its command.

Former bureau
of elections to
deliver to this
Bureau all docu-
ments, books,
papers, &c.

Old bureau
abolished.

SECTION 12. On the organization of the bureau of elections, as hereinbefore provided, all documents, returns, maps, books, accounts, forms, papers, and records of every description filed in, or belonging to the bureau of elections heretofore established, shall be transferred to the custody of the bureau in this act contemplated, and filed therein; and on such organization the said bureau of elections, heretofore established by authority of section seventeen of the act, chapter one hundred and thirty-eight of the laws of 1870, entitled an "An Act in relation to Elections in the City and County of New York," and the act or acts amendatory thereof, shall be and the same hereby is abolished.

Inspectors of
elections and
poll clerks ap-
pointed, trans-
ferred, and re-
moved by the
Board of Police

Appointments
to be made in
August and Sep-
tember.

SECTION 13. All inspectors of election and poll clerks in the city and county of New York shall hereafter be selected and appointed by the board of police, who shall also have power to make all necessary removals and transfers, and fill all vacancies which may, from any cause, arise. It shall be the duty of the said board of police, in the months of August and September, in the year one thousand

eight hundred and seventy-two, and annually in the months of August and September in each succeeding year for each election district, in said city and county, to select to serve as inspectors of election, four persons (two of whom, on State issues, shall be of different political faith and opinions from their associates, and those appointed to represent the party in political minority on State issues in the said city and county, to be named solely by such commissioner, or such of the commissioners of police in said board as are the representatives of such political minority), who shall be citizens of the United States and of the State of New York, of good character, and able to read, write and speak the English language understandingly, qualified voters in said city and county, and not candidates for any office to be voted for by the electors of the district for which they shall be selected: but no person shall be required to be a resident or voter in the election district for which he shall be appointed an inspector. The persons so selected shall be notified, examined as to their qualifications, and, if approved, shall each take and subscribe before the chief of the bureau of elections or the chief clerk thereof, within twenty days from the date of notice of appointment, the following oath of office:

Four Inspectors to each district, two of whom shall be of different political faith from their associates.

Commissioners of Police, of party in minority on State issues, to name inspectors for each district

Qualifications required for Inspectors.

Need not be resident or voter of district in which he serves.

Manner of appointment.

Oath of office.

“I _____ residing at No. _____ in the city of _____ New York, do solemnly swear (or affirm) that I will support the Constitution of the United States and of the State of New York; and that I will faithfully discharge the duties of the office of Inspector of Elections for the _____ Election District of the _____ Assembly District of the City of New York according to the best of my ability; and that I am a citizen of the United States and of the State of New York, a qualified voter in the city and county of New York and not a candidate for any office to be voted for by the electors of the district for which I am appointed an Inspector.”

Form and substance of

Whoever shall be nominated, approved and sworn into office as an inspector of election shall

Certificate of appointment.

Form of.

Term of office.

Manner of proceedings in removals from office.

Inspectors appointed to fill vacancies to hold only during unexpired term.

No inspector or poll clerk to be transferred after entering upon his duties.

Applicant for registration may be challenged.

By whom.

In such case oath to be administered.

receive a certificate of appointment from the board of police, said certificate to be in such form as shall be prescribed by the said board, and to specify the assembly and election districts in and for which the person to whom the same is issued is appointed to serve, and the date of expiration of his term of office. The inspectors of election, appointed under the provisions of this act, shall hold office for one year, unless sooner removed for want of the requisite qualifications, or for cause, in either of which case such removal, unless made while the inspector is actually on duty on a day of registration, revision of registration or election, and for improper conduct as an election officer, shall only be made after notice, in writing, to the officer sought to be removed, which notice shall set forth clearly and distinctly the reasons for his removal. *Provided,* That any inspector of election who shall at any time be appointed to fill a vacancy, which fact shall be stated in his certificate of appointment, shall hold office only during the unexpired term of his predecessor, and that no inspector of election or poll clerk shall be transferred from one election district to another after he has entered upon the performance of his duties.

SECTION 14. Any person applying to register or offering to vote, or who is registered, may, on any day of any general registration, revision of registration or of election, be challenged by any qualified voter in the city and county of New York, and either of the inspectors of election, in any election district in said city and county, may, at any authorized meeting of the board, and one of them shall, administer to any person so challenged the oath or oaths provided by law to test the qualification of challenged electors; and either of said inspectors may, at any such meeting, administer to any applicant for registration the oath or oaths provided in this act to be administered

to and taken by any such applicant, and may also administer to any elector of the election district who may be offered as a witness to prove the qualification of any person claiming the right to be registered, or to vote, the following oath :

Authority to administer oath to applicant.

Also to witnesses.

“ You do swear or affirm that you are an elector of this election district ; that you will fully and truly answer all such questions as shall be put to you touching the place of residence and other qualifications as an elector of the person (name to be given) now claiming the right to be registered as a voter in this district.”

Form of oath to be administered to witnesses.

SECTION 15. Two persons of different political faith and opinions, on state issues, and possessing the other qualifications required by this act of inspectors of election, shall be, in all respects, similarly named, selected, notified, examined, appointed, commissioned and sworn as poll clerks in and for each election district in the city and county of New York. They shall hold office for the same period of time, and upon the same conditions as are above prescribed for inspectors of election, and shall receive a like certificate of appointment.

Poll Clerks.

How appointed.

Qualifications.

Term of office of.

Certificate of appointment of.

SECTION 16. Whenever, from any cause, there shall exist a vacancy in the office of inspector of election or poll clerk, the person appointed to fill such vacancy shall be named by such commissioner, or such of the commissioners of said board of police, or his successor or their successors, as named the inspector or poll clerk in whose place any such person is designated.

Vacancies in office of Inspectors and Poll clerks, how filled.

SECTION 17. Inspectors of election and poll clerks appointed in pursuance of the provisions of this act, shall each be entitled to receive five dollars per day for each day's service at any registration, or revision of registration, and seven dollars per day for service on the day of any election, which compensation shall be paid on the certificate of the chief of the bureau of

Compensation of Inspectors and Poll clerks.

How certified and paid.

No payments to be made in certain cases.

Acting as inspector or poll Clerk in certain cases a misdemeanor.

Inspectors and poll clerks exempted from military and jury duty.

Inspectors and poll clerks to be notified of appointment.

Must appear before Chief of Bureau of Elections for examination.

If qualified bound to serve unless excused.

Under penalty of \$100 for refusing.

Failure to perform duties deemed a refusal.

Unless prevented by sickness or other good cause.

elections as to the period of service ; but no payment shall be made to any person as an inspector of election or poll clerk who shall not have taken, subscribed and filed the oath or affirmation required herein, and who shall not, during the period of his service, have fully complied with all the requirements of law in anywise relating to his duties, and the acting of any such person, in either of said capacities, without having taken, subscribed and filed the said oath or affirmation, shall be deemed to be, and punished as a misdemeanor. Inspectors of election and poll clerks, during the time they shall hold such offices, shall be exempt from the performance of military and jury duty.

SECTION 18. Each and every person selected and notified by the board of police, as its choice for the office of inspector of election, or of poll clerk, shall, on the receipt of notice thereof, appear, within ten days thereafter, before the chief of the bureau of elections, for the purpose of examination, and, if found qualified, shall, unless excused by said board, by reason of ill health, or other good and sufficient cause, be bound to serve as such officer at every election for the term of one year from the date of his appointment, and in case of neglect or refusal to comply with the above requirements, or to serve or act, shall be liable to a penalty of \$100, recoverable by the said board by civil action, in any court of record, in the name of the treasurer of the board, and for the use and benefit of the police fund. And a failure on the part of any such person to present himself for examination, or to comply with any of the requirements of this act preliminary to receiving his certificate of appointment within the time prescribed, or to attend on the day of any registration or revision of registration or the day of any election during said term, unless prevented by sickness or other sufficient cause—the bur-

den of proof of which shall be upon the delinquent—shall be deemed a refusal within the meaning of this section.

SECTION 19. The inspectors of election in each election district in the city and county of New York while discharging any of the duties imposed upon them by this act, shall have full authority to preserve order and enforce obedience to their lawful commands at and around the place of registration, revision of registration or election, during the time of any registration, revision of registration, election or canvass, estimate, or return of votes; to keep the access to such place open and unobstructed; to prevent and suppress riots, tumult, violence, disorder and all other improper practices, tending to the intimidation or obstruction of voters, the disturbance or interruption of the work of registration, revision of registration, or voting, or the canvass, estimate, or return of votes, and to protect the voters, challengers and persons designated to watch the canvass of any ballots, from intimidation or violence, and the registers, poll books, boxes, and ballots from violence and fraud; and to appoint or deputize, if necessary, one or more electors to communicate their orders and directions, and to assist in the enforcement thereof.

Inspectors to preserve order, &c.

At and around places of registration and polls of election.

To suppress riots, &c.

Protect voters, challengers, &c.

For these purposes to deputize one or more electors to assist.

SECTION 20. Hereafter there shall, in the city and county of New York, be a general registration of the qualified voters resident in each election district in said city and county at the times hereinbelow provided, and then only: On Tuesday four weeks, the Wednesday of the third week, and the Friday and Saturday of the second week preceding the day of the November election in the year one thousand eight hundred and seventy-two, and thereafter on the same days of the week and at the same intervals of time preceding the day of the No-

General registration of voters to be had.

When.

Revision of
general registra-
tion to be had
at other than
elections held
in November.

On what days.

Inspectors of
election shall
meet for pur-
poses of general
registration.

Organize, how.

Receive appli-
cations for
registration
from persons
who personally
apply.

Remain in ses-
sion from 8
o'clock A. M. to
9 o'clock, P. M.

Shall administer
oath to each ap-
plicant

Form of oath,

Shall examine
each applicant.

vention election in each year. For each and every election held in the city and county of New York, other than such as above designated in this section, there shall be a revision of the general registration had, as provided in this act, which revision shall be made on the Friday and Saturday of the second week preceding the day of each and every such election.

SECTION 21. The inspectors of election appointed pursuant to the provisions of this act shall, at the times in this act designated for a general registration, meet in their respective election districts, at the places which, as provided in this act, shall be designated therein for such meetings, and at such times, in each election district, the said inspectors of election shall openly and publicly do and perform the following acts, viz : I. They shall organize, as a board, by selecting one of their number to act as chairman ; but in case of a failure to so organize within fifteen minutes after the time fixed for the meeting, the chairman shall be selected by lot. II. They shall receive the applications for registration of such male residents of their several election districts as then are or on the day of election next following the day of making such applications would be entitled to vote therein, and who shall personally present themselves and such only. III. They shall remain in session, on each of said days, between the hours of eight o'clock in the morning and nine o'clock in the evening, and shall administer, to all persons who personally apply to register, the following oath or affirmation, viz. :

“ You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, name, place of birth, your qualifications as an elector and your right as such to register and vote under the laws of this State.”

IV. They shall then examine each applicant as to his qualifications as an elector, and unless otherwise provided herein, shall immediately, and in the pres-

ence of the applicant, enter in the registers, to be made and furnished as provided in this act, the statements and facts below set forth, in the manner following, viz. : First—Under the column “Residence,” the name and number of the street, avenue or other location of the dwelling, if there be a number, but if there shall not be a number such clear and definite description of the place of said dwelling as shall enable it to be readily ascertained, fixed and determined ; and if there shall be more than one house at the number given by the applicant as his place of residence, in which house he resides, and if there be more than one family residing in said house, either the floor on which he resides—every floor below the level of the ground being designated as the basement, the first floor on or above such level as the first floor, and each floor above that as the second or such other floor as it may be, or the number or location of the room or rooms occupied by the applicant, and whether front or rear. Second—Under the column “Address,” the name of the applicant, giving the surname and christian name in full ; but the names of all persons residing in the same dwelling to follow each other, and to be under the street and house number, or other description, as provided, of the dwelling. Third—Under the column of “Sworn” the word “yes” or “no,” as the fact shall be. Fourth—Under the column of “Nativity,” the state, country, kingdom, empire, or dominion, as the fact shall be stated by the applicant. Fifth—Under the column of “Color,” the words “white” or “colored,” as the fact shall be. Sixth—Under the sub-divisions of the general column of “Term of Residence,” the periods by months, or years stated by the applicant in response to inquiries made for the purpose of ascertaining his qualification and filling such column. Seventh—Under the column of “Naturalized,” the words “yes,” or “no,” or “native,” as the fact shall be stated. Eighth—Under the column of “Date of Papers,” the date of natural-

Shall enter in register statements and facts required as follows :

Name and No. of street;

If more than one family in a house the floor on which he resides, every such floor as is below ground being called basement; next above, 1st floor, &c.; or the number or location of room or rooms occupied.

Name of applicant;

Nativity of applicant;

His color;

Term of residence;

Whether naturalized or not;

If naturalized,
date of papers;

Court by which
naturalized;

Whether quali-
fied or not.

Qualification to
be determined
by concurrence
of three inspec-
tors.

Minors coming
of age before
election day to
be considered
qualified.

Date of applica-
tion for registra-
tion to be
entered.

When any re-
vision of a gen-
eral registration
is to be had, in-
spectors shall
meet at the time
required by law,
and openly and
publicly act as
follows:

Receive the ap-
plications of
such persons
whose names
are not borne
on the registers
as shall person-
ally apply, and

ization. if naturalized, as the same shall appear by the evidence of citizenship submitted or presented by the applicant in compliance with the requirements of this act. Ninth—Under the column of “Court,” the designation of the court in which, if naturalized, such naturalization was done, as the same shall appear by the evidence of citizenship submitted or presented by the applicant in compliance with the requirements of this act. Tenth—Under the column of “Qualified Voter,” the word “yes” or “no,” as the fact shall appear and be determined by at least three of the board of inspectors of election, it being, however, required of them to designate as a qualified voter any male person who, being otherwise qualified, shall not, at the time of making the application, be of age, provided the time when such applicant shall be of the age of twenty-one shall be subsequent to the date of his making application, and not later than the day of the election immediately following such time of applying. Eleventh—Under the column of “Date of Application,” the month, day and year when the applicant presented himself and was adjudged a qualified voter in the election district.

SECTION 22. On the days and at the times in this act designated for any revision of any general registration, the duly qualified inspectors of election shall meet in their respective election districts, at the places which, in accordance with the requirements of this act, shall have been provided for such meetings, and shall openly and publicly do and perform the following acts, viz: Each and every of the duties and requirements set forth in sub-divisions I. and III. of section twenty-one of this act. They shall, in each election district, receive the applications for registration of such male residents of the election district, whose names are not then borne upon the registers thereof, as qualified voters therein, as shall personally present themselves,

and who, on the day of election next ensuing, would be entitled to vote therein ; and as to all applications made to them shall proceed therewith in the manner provided in sub-division IV. of section twenty-one of this act: *Provided*, that if upon examination, as in this act provided for, of any applicant for registration, it shall appear that he has, since the last day of any general registration of voters or revision thereof, in the said city and county of New York, moved into or become a resident of said election district, the said inspectors shall inquire from where such applicant removed or came from ; and if it shall appear that such removal was from a place within the said city and county, they shall inquire if, in the election district in which he resided at the time of the last preceding general registration (naming such time), or in which he has resided at any time subsequent thereto, he has been registered, or has applied for registration ; and if he shall swear that he has not, then the said Inspectors shall proceed with said application as with that of any other person who may apply to them ; but if he shall swear that he has been so registered, the said inspectors shall, before further proceeding, require him to present to them a "certificate of removal," as provided for in this act, so that his name shall not be upon the registers of two election districts ; and upon the presentation to any board of Inspectors of any "certificate of removal," the said board shall treat the person presenting the same in the manner provided in sub-division IV. of section twenty-one of this act for applicants for registration.

who on next election day would be voters in the district.

Proceedings if applicant has moved into the district since last registration day.

Conditions to be complied with

Certificate of removal provided for.

SECTION 23. Any person who shall, at any time, as provided in this act, have personally applied to the inspectors of election in any election district of the city and county of New York for registration, and shall have in the registers thereof been entered as a qualified voter, and who shall at any time prior to the

Proceedings where persons remove from one dwelling to another.

close of any general registration or revision of registration, have removed from the dwelling place under which he shall, as a resident, be borne upon the registers, may, upon any day provided in this act for meetings of the inspectors of election, other than the day of any election, personally appear before the said inspectors in the election district in which he resided at the time his name was entered upon the said registers, during the hours in this act provided for their sessions, and publicly take and subscribe, before one of said inspectors, the following oath or affirmation, which shall be known as an "Oath of Removal:"

Personal application to the Board of Inspectors necessary.

Oath of removal to be taken.

"I, _____ residing at No. _____ in the _____ Election District of the _____ Assembly District of the City and County of New York, do solemnly swear (or affirm) that I am duly entered in the registers of said Election District, from said residence, as a qualified voter, and that I have removed my place of residence to No. _____ in the _____ Election District of the _____ Assembly District of said City and County, and I do hereby request that the proper entries and records be made as the same are provided for by law, and that a "certificate of removal" be furnished me at this time."

Form of

To be filed in the Bureau of Elections within 24 hours after close of registration.

If identity of applicant not satisfactory to inspectors, they may cause his statements to be examined and verified.

That upon such oath or affirmation being made and subscribed as herein provided, it shall be the duty of the said inspectors to carefully preserve the same, and file within twenty-four hours after the close of any general registration or revision of registration in the bureau of elections. And upon any such person, so taking and subscribing said "oath of removal," the said inspectors of election, if satisfied of the identity of the person making the same, with the person he claims to be, as the description of said last mentioned person shall appear on the registers, and if not satisfied therewith, shall at once, by a police officer present, or by any one whom said board shall especially authorize, make an examination and inquiry at the place of residence of said person, as the same shall be entered upon the registers, as to the fact of the removal of such person from said dwelling place, when,

if his removal therefrom shall be found by the report of such person to be a fact, they shall immediately proceed to strike from said registers, the name of such person, by entering in each of the registers, opposite to and against the name of any such person, and in the column headed, "Why Disqualified," the word "removed," in the column headed "Date of Erasing Name," the month, day, and year of such striking from said registers such name, and in the column headed "Remarks" the words "transferred to," together with the number of the election and assembly districts, to which such person shall in his "oath of removal" state he has removed, and the initial letters of the name of the inspector who shall in each of said registers make such entries. And shall through the name of any such person, as the same shall appear on said registers, and there only, draw a line as indicative that such name is erased from the registers of that election district, and the name of any such person so found stricken and erased from said registers, shall, as to his name and his residence at the place in said registers entered under the column of "Residence," be thereafter considered by the "bureau of elections," all inspectors of election, and all other election officers, to be stricken from the registers of that election district, and shall be treated as if never entered thereon. If the dwelling-place to which any such person shall have removed, be within the boundaries of the same election district, as was his former residence, as stated in the registers of said election district, the said inspectors shall in said registers, under the number or other description of the dwelling place to which such person has removed, enter his name, and in the several columns opposite and against the same, such words and figures, as, prior to the striking from or erasing of the name of such person in the manner in this section above provided, were in the columns similarly headed and opposite to

If found correct, name to be stricken from register of district from which applicant has removed.

Entries to be made where name is erased.

How re-entry of a name in register of same district shall be made.

Where removal is from one district to another, inspectors of former district shall issue certificate of removal addressed to inspectors of district to which person has removed.

and against the name of such person as upon said registers it appeared under the dwelling place from which he shall have declared he has removed; and if the dwelling place to which any such person shall have removed, shall be within the boundaries of any other election district, than was the residence, under which he was previously entered on said registers, the said inspectors of election shall fill up, sign, and deliver to such person a certificate, which shall be known as a "Certificate of Removal," and shall be in the words and figures following, to wit:

"CERTIFICATE OF REMOVAL."

Form of

Polling Place of the	Election District	Assembly District
City of New York,	18	.

To the Board of Inspectors of Election,

Election District

Assembly District.

This is to certify that the name of
heretofore residing at

in this Election District, has been by us, the Inspectors of Election in this district, stricken from the registers of this district and the proper erasure made, upon the "Oath of Removal" and at the request of said above-mentioned person; and that upon the registers of this election district, were entered as to him the following statements:

Name		Residence			
Sworn		Nativity			
Color	Term of Residence	Assembly District	County	State	
Naturalized		Date of Papers			
Court	Qualified Voter	Date of Application			

SECTION 24. The inspectors of election in each election district shall, on each day of any general registration, before adjourning, enter in each of two books prepared for that purpose, one of which shall be known as

a "public copy" of the registers, and the other of which shall be known as the "election bureau copy" of the registers, all such names and residences, and all such data, information and statements as during the day have been entered by the inspectors of election in the registers provided in this act. And the whole six books shall, on each of said days, after the completion of such copies of the registers, be carefully compared throughout, so that each of the registers and the copies thereof shall in every respect agree with each other, and contain the name and residence of each person who shall have applied for registration, and the facts respecting him, as the same shall have been stated by him and entered in the registers, as provided in this act.

A "public copy" and "election bureau copy" of register be made on each day of registration.

The registers and copies to be compared each day.

The said Inspectors shall, on the last day of any general registration, certify each of said copies in the same manner as if it was an original, and within forty-eight hours after their adjournment on said last day of any such general registration shall file the election bureau copy of the registers with the chief of the bureau of elections at his office, where the same shall be carefully preserved. And the said inspectors shall, on the last day of any revision of registration, before adjourning, make a copy of the registers as they shall then be made up for the election next ensuing, which copy shall be marked, and known as a "public copy," and shall be certified as a copy of the original registers as then existing for the election next ensuing; and they shall also make, fill and certify, in blanks to be prepared and furnished for that purpose, the name and all such other particulars as shall be entered against or opposite to the name of any person, which, having been once entered upon their registers, shall have been, on the days of any such revision of registration, for any reason stricken therefrom, as provided in this act, together with the name and all such other particulars as shall be entered against or opposite to the name of

and on the last registration day each of said books to be certified, and within 48 hours the "Election Bureau copy" to be filed in that Bureau.

On last day of revision copy of registers to be made and marked "public copy," and certified.

On days of revision of registration, blanks containing the names, &c., of all persons stricken from or added to the said registers, to be made, filled up, certified and left at bureau of elections within 48 hours.

any person who shall, on any such day of revision, have been added by them to the said registers, and said blanks so filled up and certified, shall, within forty-eight hours after the close of any revision of registration, be left by one of said inspectors at the bureau of elections; and it shall be the duty of the chief of the bureau of elections to immediately enter, or cause to be entered, in the election bureau copy of the registers of each election district, on file in his office, all the proper and necessary entries requisite to make said copy conform to said registers, and be always a copy thereof.

Entries to be immediately made in "election bureau copy of registers" by chief of bureau of elections.

All registers at the close of each registration day to be ruled off after the last name entered to prevent false entries.

SECTION 25. The inspectors of election in each election district in said city and county of New York on each day of any general registration, or revision of registration, and before adjourning, shall, on each of the registers, and on each copy or copies thereof, as in this act it is provided, shall, on each of said days, be made or kept, draw in ink immediately below the last name entered underneath each dwelling place, and below the last written words and figures entered opposite to or against such last name in each column, save that of "residence," a heavy line as indicative of the fact that the entering of names on the said registers for the day mentioned in the column headed "date of application," and opposite to or against the name of the last person entered under any dwelling place there ceased.

Inspectors to make and sign certificates that registers are correct.

SECTION 26. The inspectors of election in each election district in the city and county of New York, shall, in a place to be provided therefor on each of the registers, required in this act, fill up, date, and each sign with his name and place of residence the appropriate and proper certificate, which shall be either printed or written, and for a general registration shall be in the words and figures following, to wit:

“ We, the undersigned Inspectors of Election, in the Election
 District of the Assembly District of the City and
 County of New York, do jointly and severally certify that at the general regis-
 tration of voters held in the said Election District, on the
 days of and the
 days of in the year , there were registered by
 us as qualified voters in the said Election District, the names which in this book
 are entered as of said days, and that the number of such registered qualified
 voters was and is

Form of certifi-
 cate for general
 registration.

Dated, New York, . 18 .

And for a revision of any general registration, said
 certificate shall be in the words and figures following,
 to wit :

“ We, the undersigned Inspectors of Elections in the Election
 District, of the Assembly District, of the City and
 County of New York, do jointly and severally certify that at the revision of
 the last general registration of voters held in said Election District, on the
 days of in the year of

Form of
 certificate for
 revision of
 registration.

there were by us added to the registered qualified voters of said
 Election District, the names which in the registers are so entered as of
 the said days, and that such number was and is

and that there were stricken from the registered
 qualified voters of said Election District, the names which in the register ap-
 pear on said days to have been stricken off and erased in the manner pre-
 scribed by law, and that such number was and is

leaving the total number of registered qualified voters in
 said Election District for the next ensuing election
 which is the number of names now borne in this book as such qualified voters
 for such election.

Dated, New York, 18

SECTION 27. The inspectors of election, in each
 election district in the city and county of New York,
 shall, after making and signing either of the aforesaid
 certificates, retain and carefully preserve all the said

Each inspector
 to retain a copy
 of register for
 use on election
 day.

When and how
public copy of
register to be
suspended.

Inspectors to
take and retain
"public copy"
of registers on
day of election.

After election
to be filed with
Bureau of Elec-
tions and there
retained.

Registers to be
used on election
day.

Each inspector
to make use of
one.

No vote to be
received unless
applicant's name
be found on 3
registers by at
least 3 inspec-
tors.

At the polls the
name of each
voter to be an-
nounced.

registers provided for in this act—each inspector retaining the book which he made, or of which he had the custody and care on the days of any registration or revision of registration—for their use on the day of the next ensuing election. The "public copy" of the registers they shall, at the close of their proceedings on each day of any general registration and upon the termination of their proceedings on the last day of any revision of registration, leave suspended in the place where such registration or revision of registration was conducted, where it shall be and remain until the next meeting of the said inspectors, whether such meeting be for the purpose of registration, revision of registration or election, to the end that the same may be inspected and copied by any elector in said city and county. But on the day of any election the said inspectors shall take possession of said public copy, and the chairman shall closely retain the same throughout the said day, returning it to the chief of the bureau of elections, as provided in this act, for the return of the register kept by him, and with said register; and said copy shall be by the said chief of the bureau of elections retained, and preserved and filed in said bureau.

SECTION 28. The inspectors of election in each election district of the city and county of New York, shall, on the day of any election therein, have with them at the polling place in said district the registers provided for in this act. They shall each make use of one of said registers for guidance on said day, and no vote shall be received from any person whose name shall not be found by at least three of them to be upon at least three of the said registers as a qualified voter. The chairman of said inspectors in each election district shall, if present, and if absent, then one of the other inspectors, shall, upon any person offering to vote, announce in a loud, clear and distinct man-

ner the name of such person, and no ballots shall be received by either of the inspectors or deposited in any of the ballot-boxes until at least three of the said inspectors shall as herein above provided have examined and found the name and residence of such person and have declared the same, and that such person is entered as a qualified voter; when, if the vote of said person is received, at least three of the inspectors shall write in the appropriate column bearing the heading "Voted," and opposite to the name and residence of such person, the word "Yes." It shall be the duty of each of the inspectors to note on the register in his possession in a suitable and separate part thereof, the name and residence of each and every person, if any, whose vote shall be received in contravention of the provisions of this section, and the name of the inspector or inspectors, if any, who shall so receive or deposit in the ballot-boxes or either of them any such vote; and it shall further be the duty of each of the inspectors, immediately on the close of the polls on the day of election, to compare the said registers kept by them as herein provided, and attach to them a certificate in writing that the same are correctly checked, and within twenty-four hours after the completion of the canvass of the votes cast in the election district in which they served, to leave said registers at the office of the chief of the bureau of elections, whose duty it shall be to file and preserve the same, as provided in this act. And in no election district in the said city and county shall any inspector who has custody or charge of either of the registers in this act provided for, ever permit said register to leave his possession from the time of receiving custody of the same, until he shall file the same as provided in this act, save in the event of his resignation or removal, and the appointment, as provided in this act, of his successor, when he shall promptly surrender and turn over the same to him.

No vote to be received until at least 3 inspectors have found the name of voter on register, &c.

If vote is received, at least 3 inspectors shall, on their registers, enter the word "Yes" to be written in column "Voted" opposite to name and residence of each person who votes, and inspectors to note votes received in contravention of this section.

Also names of the inspectors violating this section.

Registers to be compared on close of polls, and certified.

Within 24 hours after canvass registers to be left at bureau of elections to be filed and preserved.

No inspector to part with possession of his register until he files the same.

If he resigns, must deliver it to his successor.

Chief of the election bureau to make full copies of records of deaths of males.

Same to be kept in his office.

SECTION 29. The chief of the bureau of elections shall from time to time and at all times have full power and authority to make or cause to be made such full, complete and accurate copies as he shall deem necessary, of the records of the names, residences, age, date and cause of death of each male person who shall die in the city and county of New York, as the facts in respect to such death shall be furnished to, or the said records shall be kept by the register of records in the department of police or board of health in the city of New York, and shall keep, preserve and file in his office all such copies of said record.

Names of such deceased voters to be arranged alphabetically by assembly districts and other details.

Copy of such alphabetical record to be furnished to each inspector.

SECTION 30. It shall be the duty of the chief of the bureau of elections from time to time, as he shall obtain the names and facts as to death provided in the preceding section, to so arrange the names of all male persons 21 years of age and upwards, who, by his records, appear to have died subsequently to the passage of this act, as that alphabetical lists by assembly districts, with residences, ages, and a full statement of all particulars may, at any time, be made therefrom ; and from the names and facts so arranged, to have prepared and made, or printed, and to cause to be delivered to each inspector of elections in each election district in the city and county of New York on or before the organization of the board of inspectors in each district on the first day of any revision of registration, an alphabetical record of the male persons 21 years of age and upwards, who, in the assembly district in which the election district in which the inspector is to serve, since the third day prior to the day of the last preceding election, and within, at least, five days prior to any such first day of revision of registration, have died. Said record shall be known and designated as a "record of deaths," and it shall be the duty of each of the inspectors of election, in each election district, upon the receipt

Such record to be called the "record of deaths."

of such record to securely attach the same to the inside of the register in his custody, to the end that it may be preserved, and on the first day of any meeting of the inspectors of election in any election district, held for the purpose of a revision of registration, it shall be the duty of each inspector, as soon as the organization of the board of inspectors is completed, to examine the register in his custody, and as to the name of every person upon said register, who, by said "record of deaths," shall, by a coincidence in respect to said name and facts, appear to have deceased, and opposite to and against every such name, to enter, in the column headed "why disqualified," the word "dead," in the column headed "date of erasing name," the month, day and year of such erasing, and in the column headed "remarks," the word, "stricken from registers," adding against each such entry made in the column of "remarks" the initial letters of the name of the inspector making such entry, and through the name of every person so stricken from the registers, and there only, shall draw a line as indicative that such name is erased from the registers of that election district.

Inspectors on receiving the "record of deaths," to attach same to register.

Register to be corrected by "record of deaths."

Proper entries under several heads to be made.

Line to be drawn through the name of each person erased.

SECTION 31. It shall further be the duty of the chief of the bureau of elections to prepare by assembly districts, in the manner set forth in the preceding section, an additional record of such deaths as shall have occurred subsequent to the date of the "record of deaths" provided for in the preceding section, and within at least three days prior to the day of any such local election held in the city of New York. Said record shall be known and designated as an "additional record of deaths," and a copy thereof shall, on or before the opening of the polls in each election district on the day of any such local election, be furnished to each inspector, who shall securely attach the same to

Chief of bureau to prepare "additional record of deaths."

All deaths subsequent to previous record and prior to 3 days before election to be inserted.

Each inspector to be furnished

a copy to be attached to the register.

On opening of the polls the register to be corrected by the "additional record of deaths."

the inside of his register, to the end that it may be preserved, and he have the same during the day of election with him at the polling place, and on the opening of the poll shall proceed to make the same examination, entries, letters, and lines as to the name of any registered person found upon said "additional record of deaths," as is provided for in the preceding section in the case of a name of a registered person found on the "record of deaths."

"Record of deaths," and "additional record of deaths," to be filed with chief of bureau with register.

SECTION 32. The "record of deaths," and the "additional record of deaths," provided for in this act and furnished to each inspector, shall be left by him with the chief of the bureau of elections at the time and in the manner provided for the return of the register used by him on the day of any local election, and with such register.

From passage of this act clerks of Oyer and Terminer and general and special sessions to make monthly reports to chief of bureau

of persons convicted of crimes punishable with death or imprisonment in state prison, stating names and aliases, offence and sentence.

Neglect of clerk of court a misdemeanor.

SECTION 33. From and after the passage of this act, it shall be the duty of each of the clerks of the courts of oyer and terminer and general and special sessions, to prepare, and on or before the fifth day of each and every month, to file with the chief of the bureau of elections, a certified record containing the name, residence, and age of each and every person convicted in each of said courts respectively of an offence punishable by death or imprisonment in a state prison, during the month immediately preceding, stating the alias or aliases of every such person if known; the offence with which charged; the action of the court; and if sentenced, the sentence imposed, and whether confined in a state prison or penitentiary. Any clerk of either of said courts who shall fail, neglect, or refuse to comply with the provisions or requirements of this section shall, for each and every such offence, be deemed guilty of a misdemeanor.

SECTION 34. Any person who is a qualified voter in the city and county of New York, may, upon any

day of registration, or revision of registration, or of election, challenge and contest the right of any person to be registered in any election district, or to vote at any poll in the said city or county, or may require the name of any registered person to be marked for challenge, and on any such day or days shall be entitled to be heard by the inspectors of election in any election district in relation to corrections of or additions to their registers.

Any voter may, on days of registration and election, challenge and contest the right of any person to register or vote.

May require any name to be marked for challenge, and may be heard by inspectors as to corrections of registers.

SECTION 35. Hereafter "the board of police" of the city of New York shall designate and appoint the place of registry and polling place in each of the election districts of the city and county of New York, and shall hire all such places, and cause the same to be fitted up, warmed, lighted and cleansed, and the work of registration shall be carried on at the places so designated for such purposes. But, in each election district, such place shall be in the most public orderly and convenient portions of the district, and no building or part of building shall be designated or used as a place of registry, revision of registration or polling place in which, or in any part of which, spirituous or intoxicating liquor is sold, or has been sold within sixty days next preceding the time of using the same; and no place shall be designated or used for any such purpose without the same shall be well lighted with gas—unless there shall no place in the district be obtainable which is so lighted—and the unoccupied space allowed in front of the ballot boxes, in any polling place, shall be equivalent to a room at least twelve feet square.

Board of police to designate, hire, and fit up, warm, and light all polling-places.

Polling places to be in most public, orderly, and convenient part of district, but not in any building where liquor is or has been sold within sixty days, or which is not well lighted with gas, unless, &c.

Unoccupied space in front of ballot boxes must equal a space of 12 feet square.

SECTION 36. At every election held in the city and county of New York, each political party shall have the right to designate, place, and keep a challenger at each place of registration, revision of registration and voting, who shall be assigned such position immediately

Each political party to have challengers at places of registration and election.

To be assigned a position adjoining the inspectors, and protected by inspectors and the police.

Challengers may be removed and vacancies filled by each party.

No person shall register in one district while the registration in another district remains unerased.

Concurrence of majority of inspectors required in all cases save where action is specifically allowed each.

Inspectors and poll clerks held to be election district officers.

Attendance to duty to be constant.

All data, statistics, registers, books, papers, &c., to be at all

adjoining the inspectors of election, as will enable him to see each person as he offers to register or vote, and who shall be protected in the discharge of his duty by the inspectors of election and the police. Each political party may remove any challenger appointed by it, and all vacancies which, from any cause shall arise, shall be filled by the same party power, and authority as conferred the original appointment.

SECTION 37. No person who is registered in one election district shall register, or cause himself to be registered, in another district, while any prior registration remains unerased, or in any other manner than is in this act provided.

SECTION 38. For all powers, authority and duties in this act prescribed for or conferred upon, and all action required of inspectors of election or a board of said inspectors, save where such authority or action is specifically allowed to each of said inspectors, the concurrence or assent of a majority of all the inspectors of election in any election district must in all cases be obtained.

SECTION 39. The several offices of inspectors of election and poll clerks, in this act named and created, are and shall be in all courts and proceedings deemed and held respectively to be election district offices, and it shall be the duty of the said inspectors of elections and poll clerks respectively, or a majority of the said inspectors, to be in constant attendance during the hours and times fixed for the discharge of their several duties.

SECTION 40. All data and statistics, and all registers, poll books and records of every kind and nature which, under this act or under any law of this state, or which

in compliance with any direction, resolution, or order of "the board of police" of the city of New York are or may be required to be made, ascertained or kept by, or returned to or filed with either the chief of the bureau of elections or the "register of records," in the board of health, shall at times, during office hours, be open to the inspection, examination, comparison and copying of any citizen or elector, free of any charge whatsoever.

times, during office hours, open to inspection and copying.

SECTION 41. Any inspector of election, poll clerk, or other officer of election, or any challenger appointed in compliance with the provisions of this act, or any person designated as provided in this act to be present at the canvass of any ballots, shall at any time between the Tuesday five weeks preceding the day of any general or local election held in the city and county of New York, and ten days after the first official promulgation by the board of county canvassers of the canvass, declaration and certificate of the result of any such election, have full power and authority to make a thorough and effective canvass of the election district in and for which he has been or was designated to serve and act, upon any day of registration, revision of registration or election, and to make full inquiry respecting any and every male resident of any dwelling, building or other place of abode in any such election district, his age, term of residence, and qualifications as a voter; but the power and authority by this section conferred upon any inspector of election, poll clerk, or other officer of election, or any challenger or person designated to watch the canvass of ballots, shall wholly cease upon his resignation or removal from the office or position to which he was appointed, or for which he was designated.

Each officer of election, challenger and watcher shall, during a certain period, have full power and authority to canvass his district, and to make full inquiry, &c., into qualifications of male residents to vote.

Such power to cease with his term of office.

SECTION 42. If at any time after the first general registration of voters had and made under the provi-

Special election in a portion of the city, same revision of reg-

istration as if it
were a local
election
throughout the
city.

sions of this act, a special election shall be held in any portion of the city and county of New York, the same revision of registration shall be had and made for any such portion of said city and county, and at the same intervals of time and times preceding the day of any such special election, and in the same manner as if the said election was a local election in, for and throughout the said city and county and each and every of the provisions of this act not inconsistent with the terms of this section, shall apply with as full force and effect to any such special election or revision of registration therefor, as if the same was for a local election in, for and throughout the said city and county.

Street numbers
not to be altered
save between
1st May and 1st
October.

SECTION 43. Hereafter it shall not be lawful for any of the authorities, officers or agents of the city or county government, in the city and county of New York, to number or renumber any street, avenue, alley, lane, road or way in the city or county of New York, or to in anywise change or alter any such number, save between the first day of May and the first day of October of any year.

At close of polls
and before can-
vass of ballots
registered per-
sons not voting
to be marked
"no" on register
and number of
persons voting
to be ascertained
and proclaimed
at each poll in a
loud voice.

SECTION 44. In each election district in the city and county of New York, it shall be the duty of the inspectors of election to immediately after the close of the polls on the day of any election, before proceeding with the canvass of the ballots in any box, and while the poll clerks are canvassing [comparing] their books, to write in ink opposite to and against the name of each person entered in their registers, who is not shown by said registers to have voted, and in the column headed "Voted" the word "No," so that the said column may be wholly filled up—and the said inspectors shall then compare the said registers, make them agree, and ascertain the number of persons who by them are shown to have voted at that poll that day, and when

they have made comparison and ascertained such fact, the chairman of the board of inspectors, or in his absence, the inspector acting as such, shall announce the same in a loud voice.

SECTION 45. The poll clerk at each poll in the city and county of New York, shall keep in ink a poll list in books to be prepared and furnished for that purpose, and shall contain a column headed "Residence," a column headed "Name of Voter," and as many additional columns as there are boxes kept at the election. The headings of the additional columns shall correspond respectively with the names and numbers of the boxes so kept.

Poll-lists to be prepared and kept in ink.

What to contain.

SECTION 46. The poll books referred to in the preceding section shall be in form as follows: Form of.

POLL-LIST OF VOTERS.

_____ELECTION DISTRICT, _____ASSEMBLY DISTRICT.

No.	RESIDENCE.	NAME OF VOTER.		REMARKS.
			Here put in additional columns.	

The residence of each elector voting shall be entered by each poll clerk in the column of his poll list headed "Residence," and the name of each such elector in the column headed "Name of Voter," and opposite the

What entries to be made therein.

residence and name of any such elector in each additional column provided for in the preceding section, and corresponding in its heading with the name and number of a box in which a ballot of the elector shall have been deposited, shall be written a check or mark similar to the letter V, and in each such additional column corresponding in its heading with the name and number of box in which no ballot of the elector shall have been deposited, shall be written the word "No." In the column of "Remarks," opposite the name of each person challenged, shall be noted the oath or oaths offered and taken by any such person.

At close of poll inspectors to proceed to canvass votes.

Canvass to be public and without adjournment until all statements are made and signed.

No vote to be received, or counted, or canvassed, and no statement made while the entrance to polling place is closed or obstructed.

Disorderly persons may be excluded.

At least six persons, if so many desire, must always be present.

Each candidate may designate a person to be.

SECTION 47. As soon as the poll of an election shall have been finally closed, the inspectors of election, in their several election districts, shall immediately, and at the place of the poll, proceed to canvass the votes. Such canvass shall be public, and shall not be adjourned or postponed until it shall have been fully completed, and the several statements hereinafter required to be made by the inspectors shall have been made out and signed by them. No vote shall be received, nor shall any ballot be counted or canvassed, nor shall any statement of votes, announcement, or proclamation, in this act required, be made at any time when the main entrance to the room in which the election is held, shall be closed in such a manner as to prevent ingress and egress, but the said inspectors may station one or more officers at such entrance to exclude disorderly persons ; nor shall any such duties be performed unless at least six persons, if so many claim that privilege, are allowed to be present and so near that they can see whether the duties of the said inspectors are faithfully performed.

Each candidate, for any office to be filled at the election, may, by a certificate in writing signed by him, designate one person for each election district in

which he is a candidate, to be present at the canvass of the ballots containing the names of the persons designated for that office. The inspectors of election and the police or other officers attending at such election district specified in said certificate, shall make a passage for such person to the said inspectors, and the said inspectors shall permit him to be present at the canvass of all the ballots in the box containing the ballots for the office specified in the said certificate, and so near to them that he can see that such canvass and the statement required of the votes found in each box are correctly made. And no inspector of election, or board of inspectors, or police or other officer, shall allow such person to be molested or removed during the canvass of such ballots, or until such statement has been made, completed, and signed, unless he shall be personally guilty of fraudulent or disorderly conduct.

present at the canvass of ballots on which his name shall appear.

Rights of persons so designated to be present and witness canvass.

Not to be molested or removed, unless, &c.

SECTION 48. The canvass shall commence by a comparison of the poll lists, from the commencement, and a correction of any mistakes that may be found therein, and such comparison shall be continued until the poll lists agree as to the number of ballots deposited in each box ; when they have been made to agree, one of the inspectors shall publicly announce, in a loud voice, the number of ballots deposited in each box as shown by the poll lists.

How canvass shall commence.

When poll lists are made to agree the result must be publicly announced in a loud voice.

SECTION 49. The boxes shall then be opened, and the ballots therein canvassed, in the order prescribed in this section, and the canvass of the ballots found in one box shall be completed before another box is opened. The boxes shall be canvassed in the following order :

Boxes to be then opened and canvassed.

1. President.
2. General.
3. Congress.

Order of.

4. Senate.
5. Assembly.
6. City.
7. School.
8. Justices.

First duty on
opening boxes.

SECTION 50. When a box is opened, the ballots contained therein shall be taken out and counted unopened, except so far as to ascertain that each ballot is single. If two or more ballots shall be found so folded together, as to present the appearance of a single ballot, they shall be destroyed, if the whole number of ballots exceeds the whole number of votes, as shown by the poll lists, and not otherwise.

In case two or
more ballots are
folded together.

Ballots found in
the wrong box
how treated.

SECTION 51. No ballot properly endorsed, found in a box different from that designated by its endorsement, shall be rejected, but shall be counted in the same manner as if found in the box designated by such endorsement, provided that the counting of such ballot or ballots shall not produce an excess over the number of ballots deposited in the box, as shown by the poll lists.

Proceedings in
case of excess
in number of
ballots.

SECTION 52. If a greater number of ballots shall be found in a box than is required by the correspondent columns of the poll lists, all the ballots shall be replaced in the box, and one of the said inspectors to be designated by the board shall, without seeing the same, and with his back to the box, publicly draw out and destroy as many ballots unopened as shall be equal to such excess.

Process of can-
vassing.

Ballots to be
opened and
separated.

SECTION 53. The board shall then proceed to canvass and estimate the votes in the following manner: The said inspectors shall open the ballots, and place those which contain the same names together, so that the several kinds shall be in separate piles or on separate

files. One of the said inspectors shall then take the kind of ballots which appears to be the greatest in number and count them by tens, carefully examining each name on each of said ballots. Such inspector shall then pass ten ballots to the inspector sitting next to him, who shall count them in the same manner, and he shall then pass them to the third inspector, who shall also count them in the same manner. The third inspector shall then call the names of the persons named in the ballots, and the offices for which they are designated, and the poll clerks shall tally the votes for each of such persons. The fourth inspector shall watch the proceedings of the other inspectors, and the poll clerks, and at his option may perform the same duties in respect to the canvass as are prescribed for the third inspector, or in case of the absence of a poll clerk, may perform his duties.

Order and manner of counting.

By tens,

by three inspectors in succession.

Duty of third inspector.

Duty of poll clerks.

Duty of fourth inspector.

When the counting of each kind of ballots shall be completed, the poll clerks shall compare their tallies together and ascertain the total number of ballots of that kind so canvassed, and when they agree upon the number, one of them shall announce it, in a loud voice, to the inspectors.

Poll clerks to compare tallies, and announce the number in a loud voice.

The kind of ballots which appears to be next greatest in number, and afterwards each of the other kind of ballots in succession, shall then be canvassed in the same manner. The ballots containing names partly from one kind of ballots and partly from another, being those usually called "split tickets," and those from which the name of a person proper to be voted for on such ballots has been omitted or erased, usually called "scratched tickets," shall then be canvassed separately by one of the inspectors sitting between two of the other inspectors, which inspector shall call each name to the poll clerks, and the office for which it is designated, the other inspectors looking at the ballot at the same time, and the poll clerks making note of the same. When all the ballots found in

Further order of canvassing.

Split tickets, &c.

Scratched tickets, when, how, and by whom canvassed.

After canvass of box, poll clerks compare tallies and announce in a loud voice, number cast for each candidate on each kind of ticket.

the box have been canvassed in this manner, the poll clerks shall compare their tallies together and ascertain the total number of votes received by each candidate, and when they agree upon the numbers, one of them shall announce, in a loud voice, to the inspectors, the number of votes received by each candidate, on each of the kinds of ballots containing his name, the number received by him on the "split" and "scratched" tickets, and the total number of votes received by him.

Proceedings in case of excess of ballots in box.

If, after the ballots in any box have been opened or canvassed, the whole number of them shall be found to exceed the whole number of votes required by the corresponding columns of the poll lists, the said inspectors shall return all the ballots into the box, and shall thoroughly mingle the same, and one of the inspectors to be designated by the board, shall, without seeing the same and with his back to the box, publicly draw out of such box so many of such ballots as shall be equal to the excess, which shall be forthwith destroyed; but if the ballots have been canvassed, the votes for the persons named therein shall first be deducted from the votes entered for such person on the tallies.

A ballot of each kind to be pasted on each statement, and certificate to be made thereon.

SECTION 54. The canvass of the ballots found in any box shall be completed by ascertaining how many ballots of the same kind, corresponding in respect to the names of the persons thereon and the offices for which they are designated, have been received; and the result being found, the said inspectors shall securely paste or attach to each statement of such canvass hereinafter directed to be made one ballot of each kind found to have been given for the officers to be chosen at such election; and they shall state in words at full length, immediately opposite such ballot, and written partly on such ballot and partly on the paper to which it shall be pasted or attached, the whole number of all the ballots that were received which

correspond with the one so pasted or attached, so that one of each kind of the ballots received at such election for the officers then to be chosen, shall be pasted or attached to such statement of such canvass. If only one ballot of any kind shall be found in the box, it shall be pasted or attached to the statement to be delivered to the clerk of the board of supervisors, and if only two ballots of any kind are found in the box, one shall be pasted or attached to the statement to be delivered to the clerk of the board of supervisors and the other to the statement to be delivered to the county clerk. They shall also paste or attach all the ballots rejected by them as being defective in whole or in part, to the statement to be delivered to the clerk of the board of supervisors.

If only one kind of ballot is found how to dispose thereof.

If two only.

All ballots rejected as defective to be pasted to statement.

SECTION 55. When the canvass of the ballots found in any box shall have been completed, and the poll clerks shall have announced to the inspectors the total number of votes received by each candidate, the chairman of the board of inspectors of election, or in his absence the inspector acting as such, shall proclaim, in a loud voice, the total number of votes received by each of the persons voted for upon the ballots found in that box, and the office for which they are designated, and such proclamation shall be prima facie evidence of the result of the canvass of such ballots.

When ballots in any box are canvassed, proclamation to be made in a loud voice.

Such proclamation evidence of the result.

SECTION 56. The said inspectors shall make triplicate statements of the result of the canvass, and estimate of the votes. Each of the statements shall contain a caption, stating the day on which, and the number of the election district, and assembly district, and the city and county in relation to which such statement shall be made, and the time of opening and closing the polls of such election district. It shall also contain a statement showing the whole number of votes given for

Triplicate statements of the result to be made.

Contents of statements.

Certificate of statement to be subscribed on each sheet by inspectors and poll clerks.

Inspectors declining to sign to state reasons in writing.

Statements to be enclosed and sealed with wax.

One directed to clerk of board of supervisors, one to the county clerk, one to chief of bureau of elections.

Tallies inclosed in same manner and directed one to mayor, the other to chief of bureau of elections.

By whom and at what time delivery of statements to be made.

Tallies by whom to be delivered.

each person, designating the office for which they were given. which statement shall be written, or partly written and partly printed, in words at length ; and at the end thereof a certificate that such statement is correct in all respects ; which certificate and each sheet of paper forming part of the statement shall be subscribed by the said inspectors and poll clerks. If any inspector or poll clerk shall decline to sign any return, he shall state his reasons therefor in writing, and a copy thereof signed by him shall be enclosed with each return. Each of the statements shall be enclosed in an envelope, which shall then be securely sealed with wax, and each of the inspectors and each of the poll clerks shall write his name across every fold at which the envelope, if unfastened, could be opened, and across the seals thereon. One of the envelopes shall be directed on the outside to the clerk of the board of supervisors, another to the county clerk, and the third to the chief of the bureau of elections. Each set of tallies shall also be enclosed, securely sealed and signed in like manner, and one of the envelopes shall be directed on the outside to the chief of the bureau of elections, and the other to the mayor. On the outside of every envelope shall be endorsed whether it contains the statement or the tallies and for what election and assembly district.

SECTION 57. Within twenty-four hours after the several statements shall have been subscribed, one of the said inspectors shall deliver to the clerk of the board of supervisors the statement directed to him ; another inspector shall deliver to the county clerk the statement directed to him, and a third inspector shall deliver to the chief of the bureau of elections the statement directed to him. One of the poll clerks shall deliver to the mayor the tallies directed to him, and the other poll clerk shall deliver to the chief of the bureau of elections the tallies directed to him.

SECTION 58. The poll lists kept at such election shall be certified, in writing, by both poll clerks, to be a true and correct list of the votes cast at the said election, in their respective election districts, and within twenty-four hours of the close of the canvass shall be filed by such poll clerks, the one in the office of the county clerk, the other in the office of the chief of the bureau of elections, and shall be there preserved.

Poll lists to be certified and filed.

One with county clerk, the other with bureau of elections.

SECTION 59. The remaining ballots, not so pasted or attached to said statements, as hereinbefore provided, shall be destroyed, and the board of inspectors shall be dissolved.

Ballots not attached to statements to be destroyed.

SECTION 60. In case any officer to whom any of the papers in the preceding sections are directed to be delivered, shall be absent from his office, the same may be delivered to the person authorized in such case to attend to his official duties, and the officer or person to whom any envelope containing any statement or tally, or to whom any register or copy thereof, or poll list shall be delivered as in this act provided, shall give a receipt therefor to the inspector or poll clerk from whom the same is received, and such receipt shall be filed by said inspector or poll clerk in the office of the comptroller, before any payment for his services shall be made.

How papers may be delivered.

Receipts to be given.

Receipts to be filed in office of comptroller before payment.

SECTION 61. The envelopes delivered to the clerk of the board of supervisors shall be kept sealed, and shall not be opened until the same are produced before the board of county canvassers, when they shall be opened for the canvassing of the returns, and when so opened, the presiding officer of the said board shall mark each separate sheet of the statements with the initials of his name.

Envelope filed with clerk of board of supervisors to be opened only by board of county canvassers, and then to be marked.

SECTION 62. The envelopes delivered to the county clerk shall be kept sealed and unopened until the same

The like as to envelopes delivered to county clerk.

shall be required to be opened by the board of county canvassers, or other lawful authority ; and when so opened, the officer or person opening the same shall mark each separate sheet of the statement with the initials of his name.

Board of county canvassers.

Their duty.

How to be performed.

SECTION 63. The board of supervisors of the county of New York shall be the board of county canvassers, and it shall be their duty to finally canvass, declare, and certify the result of every election hereafter held in the city and county of New York. Such canvass, declaration, and certification shall be made and conducted under the existing provisions of law, not inconsistent with this act, so far as the same are applicable.

Offences at registration.

Falsely personating an elector or attempting to register

under the name of another, or a false name,

or register in two districts,

or attempt to register, not having right,

or aid and procure, &c., &c.,

SECTION 64. If at any general registration of voters, or at any meeting of inspectors of election, held for such purpose or for a revision thereof, as provided in this act, any person shall falsely personate an elector or other person, and register, or attempt to offer to register, in the name of such elector or other person ; or if any person shall knowingly or fraudulently register, or offer or attempt, or make application to register, in or under the name of any other person, or in or under any false, assumed or fictitious name, or in or under any name not his own ; or shall knowingly or fraudulently register in two election districts ; or, having registered in one district, shall fraudulently attempt or offer to register in another ; or shall fraudulently register, or attempt or offer to register in any election district not having a lawful right to register therein ; or shall knowingly or willfully do any unlawful act to secure registration for himself or any other person ; or shall knowingly, willfully or fraudulently, by false personation or otherwise, or by any unlawful means cause or procure, or attempt to cause or procure the name of any qualified

voter in any election district to be erased or stricken from any registry of the voters of such district, made in pursuance of this act, or otherwise than as is in this act provided ; or by force, threat, menace, intimidation, bribery, reward or offer, or promise thereof, or other unlawful means, prevent, hinder or delay any person having a lawful right to register or be registered, from duly exercising such right ; or who shall knowingly, willfully or fraudulently compel or induce, or attempt or offer to compel, or induce by such means, or any unlawful means, any inspector of election or other officer of registration, in any election district, to register or admit to registration any person not lawfully entitled to registration in such district, or to register any false, assumed or fictitious name, or any name or any person, except as provided in this act ; or shall knowingly or willfully, or fraudulently interfere with, hinder or delay, any inspector of election or other officer of registration in the discharge of his duties, or counsel, advise or induce, or attempt to induce any such inspector or other officer to refuse or neglect to comply with, or to perform his duties, or to violate any law prescribing or regulating the same ; or shall aid, counsel, procure or advise any voter, person, inspector of election or other officer of registration, to do any act by law forbidden, or in this act constituted an offence, or to omit to do any act by law directed to be done, every such person shall upon conviction thereof be adjudged guilty of a felony, and shall be punished by imprisonment in a state prison not less than one nor more than five years.

or hinder or delay persons having lawful right, &c., &c.,

or interfere with election officers, &c., &c.,

or induce officer to neglect his duties.

Each a felony.

How punished.

SECTION 65. If, at any election hereafter held in the city and county of New York, any person shall falsely personate any elector or other person, and vote, or attempt, or offer to vote in or upon the name of such elector or other person ; or shall vote or attempt to

Offences at elections.

vote in or upon the name of any other person whether living or dead, or in or upon any false, assumed, or fictitious name, or in or upon any name not his own; or shall knowingly, willfully, or fraudulently, vote more than once for any candidate for the same office, except as authorized by law, or shall vote or attempt or offer to vote in any election district without having a lawful right to vote therein, or vote more than once, or vote in more than one election district, or having once voted, shall vote, or attempt, or offer to vote again; or shall knowingly, willfully, or fraudulently do any unlawful act to secure a right, or an opportunity, to vote for himself or for any other person; or shall by force, threat, menace, intimidation, bribery, or reward, or offer, or promise thereof, or otherwise unlawfully, either directly or indirectly, influence, or attempt to influence any elector in giving his vote, or prevent or hinder, or attempt to prevent or hinder, any qualified voter from freely exercising the rights of suffrage, or by any such means induce, or attempt to induce, any such voter to refuse to exercise any such right; or shall by any such means, or otherwise, compel or induce, or attempt to compel or induce, any inspector of election or other officer of election, in any election district, to receive the vote of any person not legally qualified or entitled to vote at the said election in such district; or shall knowingly, willfully or fraudulently interfere with, delay or hinder in any manner any inspector of election, poll clerk or other officer of election, in the discharge of his duties; or by any of such means, or other unlawful means, knowingly, willfully, or fraudulently, counsel, advise, induce, or attempt to induce, any inspector of election, poll clerk, or other officer of election, whose duty it is to ascertain, proclaim, announce, or declare the result of any such election, or to give or make any certificate, document, report, return, or other evidence in relation thereto, to refuse or neglect to comply with his duty,

or to violate any law regulating the same, or to receive the vote of any person, in any election district, not entitled to vote therein, or to refuse to receive the vote of any person entitled to vote therein; or shall aid, counsel, advise, procure, or assist, any voter, person, or inspector of election, or other officer of election, to do any act by law forbidden, or in this act constituted an offense, or to admit to do any act by law directed to be done: every such person shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished for each and every such offence by imprisonment in a state prison for not less than one nor more than five years.

Declared to be
felonies.
How punished,

SECTION 66. If any poll clerk, or any inspector of election, performing the duties of poll clerk, shall willfully keep a false poll list, or shall knowingly insert in his poll list any false statement, or any name or statement, or any check, letter or mark, except as in this act provided, he shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in a state prison for not less than one nor more than five years.

Certain acts by
poll clerks de-
clared to be
felonies.

How punished.

SECTION 67. Every inspector of election who shall willfully exclude any vote duly tendered, knowing that the person offering the same is lawfully entitled to vote at such election, or shall willfully receive a vote from any person who has been duly challenged, in relation to his right to vote at such election, without exacting from such person such oath or other proof of qualification as may be required by law, or who shall willfully omit to challenge any person offering to vote, whom he knows or suspects not to be entitled to vote, and who has not been challenged by any other person, shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in a state prison for not more than two years.

Certain acts of
inspectors
declared felon-
ies.

How punished.

Certain acts of
any officer of
election or
member of
board of can-
vassers de-
clared felonies.

SECTION 68. Every inspector of election, member of any board of canvassers, messenger, poll clerk, or other officer authorized to take part in or perform any duty in relation to any canvass or official statement of the votes cast at any election, who shall willfully make any false canvass of such votes, or shall make, sign, publish, or deliver, any false return of such election, or any false certificate or statement of the result of such election, knowing the same to be false, or who shall willfully deface, destroy, or conceal any statement or certificate entrusted to his care or custody, shall, on conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in a state prison not less than two nor more than five years.

How punished.

SECTION 69. If any person other than an inspector of election, shall at any such election, knowingly and willfully put, or cause to be put, any ballot or ballots, or other paper having the semblance thereof, into any box used at such election for the reception of votes ; or if any such inspector shall knowingly and willfully, cause or permit any ballots to be in said box at the opening of the polls and before voting shall have commenced ; or shall knowingly and willfully, or fraudulently put any ballot or other paper having the semblance thereof into any such box at any such election, unless the same shall be offered by an elector, and his name shall have been found and checked upon the register, as hereinbefore provided ; or if any such Inspector, or other officer or person, shall fraudulently, during the canvass of ballots, in any manner change, substitute or alter any ballot taken from the box then being canvassed, or from any box which has not been canvassed, or shall remove any ballot, or semblance thereof from, or add any ballot, or semblance thereof to the ballots taken from the box then being canvassed, or from any box which has not been canvassed, every such person shall, upon conviction thereof, be adjudged guilty of

Stuffing ballot-
boxes.

Changing bal-
lots,

removing from
or adding bal-
lots to ballot-
box declared
felonies.

felony, and shall be punished by imprisonment in a state prison for not less than one nor more than five years.

How punished,

SECTION 70. If any inspector of election, poll clerk, or other officer of registration, revision, election, or canvass, in [of] whom any duty is required in this act, or by the general election laws of this state, so far as the same are consistent with the provisions of this act, shall be guilty of any willful neglect of such duty, or of any corrupt or fraudulent conduct or practice in the execution of the same, he shall, on conviction thereof, be adjudged guilty of a felony, and shall be punished by imprisonment in a state prison for not less than one nor more than five years.

Fraudulent corrupt and wilful neglect of duty on part of election officers declared a felony.

How punished.

SECTION 71. Every inspector of election, poll clerk, or other officer or person having the custody of any record, register of voters, or copy thereof, oath, return of votes, certificate, poll-list, or of any paper, document, or evidence of any description, in this act directed to be made, filed or preserved, who is guilty of stealing, willfully destroying, mutilating, defacing, falsifying, or fraudulently removing or secreting the whole or any part thereof, or who shall fraudulently make any entry, erasure, or alteration therein, except as allowed and directed by the provisions of this act, or who permits any other person so to do, shall, upon conviction thereof, be adjudged guilty of a felony, and shall be punished for each and every such offence by imprisonment in a state prison, not exceeding five years, and shall, in addition thereto, forfeit his office.

Acts by election officers in stealing, destroying, mutilating, removing, secreting, altering, or erasing, any register, return, &c., or permitting others to so do, declared felonies.

How punished.

SECTION 72. Every person not an officer, such as is mentioned in the last preceding section, who is guilty of any of the acts specified in said section, or who advises, procures, or abets the commission of the same, or any of them, shall, upon conviction thereof, be

Some acts by persons not officers declared felonies.

How punished.

adjudged guilty of a felony, and for each and every such offence shall be punished by imprisonment in a state prison, not exceeding five years.

False swearing under this act declared perjury.

SECTION 73. Any person who shall be convicted of willful and corrupt false swearing or affirming, in taking any oath or affirmation prescribed by, or upon any examination provided for, in this act, or upon being challenged as unqualified, upon offering to register or vote, shall be adjudged guilty of willful and corrupt perjury.

Instigating or procuring others to swear false, declared subornation of perjury.

SECTION 74. Every person who shall willfully and corruptly instigate, advise, induce or procure any person to swear or affirm falsely, as aforesaid, or attempt or offer so to do, shall be adjudged guilty of subornation of perjury, and shall, upon conviction thereof, suffer the punishment directed by law in cases of willful and corrupt perjury.

Acts tending to defraud a voter of his vote, declared felonies.

SECTION 75. If any person shall fraudulently change, or alter the ballot of any elector, or substitute one ballot for another, or fraudulently furnish any elector with a ballot containing more than the proper number of names, or shall intentionally practice any fraud upon any elector to induce him to deposit a ballot as his vote, and to have the same thrown out and not counted, or to have the same counted for a person or candidate other than the person or candidate for whom such elector intended to vote, or otherwise defraud him of his vote: every such person shall, on conviction thereof, be adjudged guilty of a felony, and shall, if an inspector of election, poll clerk, or other officer of election, be punished with imprisonment in a state prison not less than two nor more than five years, and if not, such inspector, poll clerk, or other officer of election shall be punished by imprisonment in a state prison for not less than one nor more than five years.

How punished, if committed by an election officer, and how if by others.

SECTION 76. If any person who shall have been convicted of bribery, felony, or other infamous crime under the laws of this state, shall thereafter vote or offer to vote at any election in the city and county of New York, without having been pardoned and restored to all the rights of a citizen, he shall, upon conviction thereof, be adjudged guilty of a felony, and for each and every such offence, shall be punished by imprisonment in a state prison for not less than one nor more than three years.

Convicted felons offering to vote unless pardoned guilty of felony.

How punished.

SECTION 77. If any person shall willfully disobey any lawful command of an inspector of election, or of any board of inspectors of election, given in the execution of his or their duty as such, at any election, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in a penitentiary for not less than thirty days nor more than one year, or by a fine of not less than two hundred and fifty nor more than one thousand dollars, or by both such fine and imprisonment.

Disobeying any lawful command of board of inspectors declared a misdemeanor.

How punished.

SECTION 78. If, at any general registration of voters or revision thereof, or on any day of election, or during the canvass of the votes cast thereat, any person shall cause any breach of the peace, or use any disorderly violence or threats of violence, whereby any such registration, revision, election, or canvass shall be impeded or hindered, or whereby the lawful proceedings of any inspector of election, or board of inspectors of election, or poll clerk, or other officer of such election, or challenger, or person designated to be present at the canvass of any ballots, as hereinbefore provided, are interfered with, every such person shall, upon conviction thereof, be adjudged guilty of a felony, and, upon conviction thereof, shall be punished by imprisonment in a state prison, for not less than one nor more than five years.

Certain disorderly acts at places of registration and polls of election, declared felonies.

How punished.

Acts of interference with election officers,

in performance of duty

at the election,

or at the canvass of votes,

or going to or from such duties,

or threats or attempts, declared misdemeanors.

How punished.

Wilful neglect or refusal to perform duties of inspector declared a misdemeanor.

SECTION 79. If any person knowingly, or willfully shall obstruct, hinder, assault, or by bribery, solicitation or otherwise, interfere with any inspector of election, poll clerk, challenger, or person designated as provided in this act, to be present at the canvass of any ballots, in the performance of any duty required of him, or which he may by law be authorized or permitted to perform; or if any person, by any of the means before mentioned, or otherwise unlawfully, shall on the day of registration, revision of registration, or of election, hinder or prevent any inspector of election, poll clerk, challenger, or person designated, as provided in this act, to be present at the canvass of ballots in his free attendance and presence at the place of registration, or revision of registration, or of election in the election district, in and for which he is appointed or designated to serve, or in his full and free access and egress, to and from any such place of registration, revision of registration, or of election, or to and from any room where any such registration, revision of registration, or election, or canvass of votes, or of making any returns or certificates thereof, may be had or shall molest, interfere with, remove or eject from any such place of registration, or poll of election, or of canvassing ballots cast thereat, or of making returns or certificates thereof, any such inspector of election, poll clerk, challenger, or person designated, as provided in this act, to watch the canvass of any ballots, save as otherwise provided in this act, or shall unlawfully threaten, or attempt, or offer so to do, every such person shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by imprisonment in a penitentiary for not less than six months, nor more than one year, or shall be fined not less than five hundred nor more than two thousand dollars, or both.

SECTION 80. Any inspector of election, who shall willfully neglect, or when called on, shall willfully decline to exercise the powers conferred on him in this

act, for any of the purposes set forth in section nineteen of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by imprisonment in a penitentiary for not less than thirty days, nor more than one year, or by a fine of not less than two hundred and fifty, nor more than one thousand dollars or by both such fine and imprisonment.

How punished.

SECTION 81. If any person shall, upon the day of any such election, or before the canvass of voters is completed, steal, or willfully break or destroy any ballot box used, or intended to be used, at such election, or shall willfully or fraudulently conceal, secrete, or remove any such box from the custody of the inspectors of election, or shall alter, deface, injure, destroy, or conceal any ballot which has been deposited in any ballot box at such election, which has not been already counted and canvassed, or any poll list used, or intended to be used at such election, or any report, return, certificate, or other evidence in this act required, as provided for, shall, on conviction thereof, be adjudged guilty of a felony, and shall, for each and every such offence, be punished by imprisonment in a state prison, for not less than two nor more than five years.

Stealing or destroying, secreting or removing ballot-boxes or ballots, poll-lists, reports, returns, certificates, &c., declared a felony.

How punished.

SECTION 82. If in any election district, at any general registration of voters or revision thereof, or at any election hereafter held in the city and county of New York, any inspector of election or poll clerk shall knowingly or willfully admit any person to registration, or make any entry upon any register of voters or poll book, or receive any vote, or proceed with the canvass of ballots, or shall consent thereto, unless a majority of all the inspectors of election, in said election district, are present and concur, he shall, upon conviction thereof, be adjudged guilty of a misde-

Inspectors and poll clerks admitting persons to registration willfully and unlawfully, guilty of a misdemeanor.

How punished.

Absence from duty, except from urgent necessity, a misdemeanor.

How punished.

District attorney to prosecute all complaints of violations of this act to final judgment.

Judgment not to be suspended more than ten days.

Complainant to have at least 2 days notice in writing.

Keeping ballots, electioneering, and distributing tickets in polling places, declared a misdemeanor.

meanor, and shall be punished by imprisonment in the county jail not less than thirty nor more than sixty days, or fined not less than one hundred nor more than one thousand dollars, or by both such fine and imprisonment. If any inspector of election in any election district shall, without urgent necessity, absent himself from the place of registration or the polls in said district, upon any day of registration or election, whereby less than a majority of all the inspectors in such election district shall be present during the hours of registration, election or canvass of ballots, he shall, upon conviction, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail not less than sixty days nor more than six months, or shall be fined not less than five hundred nor more than one thousand dollars or both.

SECTION 83. It is hereby made the especial duty of the district attorney of the county of New York to immediately prosecute all complaints which may be made of a violation of any of the provisions of this act, or of the election laws of the state, to final judgment; and the court before which any conviction for such violation shall be had shall not, in any case, suspend sentence or judgment for more than ten days; but no indictment for such violation shall be brought to trial unless the complainant (if any), if he can be found, shall have at least two day's notice, in writing, from the said district attorney, of the day when he intends to try the same.

SECTION 84. It shall be unlawful for any inspector of election, poll clerk, challenger, or person designated as provided in this act to be present at the canvass of any ballots in any district, during the election or canvass of ballots, to have or keep any ballots behind the boxes or within the polling place, or for them or any person or persons within the polling place, to electioneer, distribute tickets or ballots, or engage in

any political discussion. Any violation of this section shall be a misdemeanor, and shall be punished by imprisonment in the county jail for not less than ten nor more than ninety days, or by a fine of not less than one hundred nor more than one thousand dollars, or both.

How punished.

SECTION 85. Whoever, during the sitting of any board of inspectors of election in any election district in the city and county of New York, whether held for the purpose of registration, revision of registration, reception or canvass of votes, or of making return thereof, shall bring, take, order, or send into, or shall cause to be taken, brought, ordered, or sent into, or shall attempt to bring, take, or send into any place of registration or revision of registration or of election, any distilled or spirituous liquors whatever, or shall at any such time and place drink or partake of any such liquor, shall be deemed, and held to be guilty of a misdemeanor.

Having distilled or spirituous liquors in polling-places, declared a misdemeanor.

SECTION 86. Irregularities or defects in the mode of noticing, convening, holding or conducting an election authorized by law shall constitute no defence to a prosecution for a violation of the provisions of this act.

Irregularities in holding elections.

SECTION 87. Every act which, by the provisions of this act or the general election laws, is made criminal when committed with reference to the election of a candidate, is equally criminal when committed with reference to the determination of a question submitted to electors, to be decided by votes cast at an election.

Criminal provisions of this act and of general election laws to cover any question submitted to elector.

SECTION 88. Upon any prosecution for procuring, offering, or casting an illegal vote, the accused may give in evidence any fact tending to show that he honestly believed, upon good reason, that the vote complained of was a lawful one, and the jury may

New rule of evidence.

take such facts into consideration in determining whether the acts complained of were willfully done or not.

Meaning of word
elect on as used
in this act.

SECTION 89. The word election, as used in this act, shall be construed to designate only elections had within the city and county of New York, for the purposes of enabling electors to choose some public officer or officers, under the laws of this State or the United States, or to pass upon any amendment, law, or other public act or proposition submitted to vote by law.

Boundaries of
election dis-
tricts to be ad-
vertised.

SECTION 90. The boundaries of all election districts shall, on the second day after the last day allowed by law for the fixing of such boundaries, be publicly advertised; and thereafter, prior to each election, such boundaries, the location of all places of registration, revision of registration, or polling places, and the names of all the inspectors of election, shall be similarly advertised on the day preceding the first day of any general registration or revision of registration, and on each day of registration, revision of registration, or day of election, and on such day or days only. The names of all poll clerks shall be publicly advertised on the day of any election. The official canvass, immediately upon its completion and declaration by the board of county canvassers, shall be publicly advertised for one day only. All advertising provided for in this section, shall be done in five daily newspapers published in the city and county of New York, having the largest city circulation; and all matter advertised shall be prepared and furnished the journals in which it is to be inserted, free from unnecessary verbiage or repetition; and in the publication of any official canvass, all numbers shall be printed in numerals only, and the statement or declaration shall be printed in tabular form.

When.

Also, places of
registration and
polling places.

Also, names of
poll clerks and
the official can-
vass.

When.

In five daily
newspapers
having largest
circulation, free
from unneces-
sary verbiage.

Numbers to be
printed in nu-
merals only.

SECTION 91. The legal compensation of all inspectors of election and poll clerks and other officers of election, the cost and expenses of all necessary election notices, posters, maps, advertisements, registers, books, blanks and stationery, the rent and cost of fitting up, warming, lighting, cleaning, and safe-keeping of all places of registration, revision of registration and polling places, of furnishing, repairing and carting ballot-boxes, and of all supplies of every kind and nature for all elections in the city and county of New York shall be a county charge, and shall, upon proper certificates and vouchers, be paid in the same manner as by law provided for the payment of other expenses of the said county of New York.

Expenses of elections to be a county charge, paid in same manner as other expenses of county.

The board of supervisors of the said county of New York shall, yearly, levy upon the estates, real and personal, of the said city and county of New York, the amounts estimated to be required to pay the expenses of the registration, or revision of registration, and of all elections which may be held in said city and county during the year.

Board of supervisors to yearly levy the amounts required to pay expenses of elections.

SECTION 92. The act entitled “An act to ascertain by proper proofs the citizens who shall be entitled to the rights of suffrage,” passed May 13, 1865; and the act entitled “An act amendatory of and supplementary to chapter seven hundred and forty, of the laws of eighteen hundred and sixty five, entitled, ‘An act to ascertain by proper proofs, the citizens who shall be entitled to the rights of suffrage,’ passed May 13, 1865;” passed April 25, 1866, and the act entitled “An act in relation to elections in the city and county of New York,” passed April 5, 1870; and the act entitled, “An act to amend an act entitled: “An act in relation to elections in the city and county of New York,’ passed April 5, 1870,” passed April 18, 1871, are hereby repealed and all other acts, or parts of acts, so far as the same are inconsistent with the pro-

Repealing clause.

Proviso.

visions of this act, are hereby repealed, so far as they apply to the city or county of New York, but such repeal shall not revive any act or part of any act repealed by either of such laws. Nothing in this section contained shall be construed to in any manner affect any complaint, prosecution, indictment, or other criminal proceeding now pending, or that may hereafter be made, had or found under the provisions of said acts or either of them, for any violation thereof which occurred before the passage of this act, but every such violation shall be punishable under the provisions of said acts or either of them, as though said acts were not repealed but still in force.

Act to take effect, when.

SECTION 93. This act shall take effect as follows: Sections one to six, both inclusive; section thirty-four, sections thirty-six to thirty-nine, both inclusive; section forty-one, sections forty-seven to fifty-five, both inclusive; sections sixty-three to eighty-seven, both inclusive, and section ninety, shall take effect immediately; and section ninety-two, so far as anything contained therein repeals acts or parts of acts inconsistent with the provisions of the above named sections, shall take effect immediately. Each and every section not hereinabove specified and section ninety-two, where not hereinbefore otherwise provided, shall take effect on the first day of June in the year one thousand eight hundred and seventy-two.





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